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REVISED BY BAN 11-18-2008 @ 9:30 a.m.

State of South Carolina  
County of Oconee County  
**ORDINANCE 2008-19**

**"AN ORDINANCE TO CREATE UNIFIED ROAD STANDARDS ORDINANCE FOR THE UNINCORPORATED AREAS OF OCONEE COUNTY AND REPEALING CERTAIN ORDINANCES AND RESOLUTIONS"**

**WHEREAS**, Oconee County has in the past adopted standards regulating various aspects of construction and maintenance activities on public roads; and

**WHEREAS**, County Council must from time to time review and amend said standards to account for changes resulting from growth and development, as well as to better manage anticipated changes and avoid imposing negative impacts on the citizens of Oconee County; and

**WHEREAS**, it has become necessary to establish standards for certain private roadways to assist developers in providing safe roads; and

**WHEREAS**, the County Engineer and his/her designee possess the technical expertise to insure compliance with all standards related to road design and construction, both public and private; and

**WHEREAS**, standards related to road construction may be found in a number of Oconee County ordinances, potentially confusing those individuals needing to determine specific requirements for roads in Oconee County; and

**WHEREAS**, County Council desires to publish applicable regulations in a logical and consistent format to enable the public to easily access and understand all standards applicable to their needs;

**NOW, THEREFORE**, be it ordained by the Oconee County Council that the "Road Standards Ordinance" setting forth the following standards is hereby established. The following Ordinances and Resolutions are hereby repealed:

- |           |         |  |
|-----------|---------|--|
| Ordinance | 1975-03 | An Ordinance to Regulate Use of County Roads and Prohibit their Destruction and/or Obstruction             |
| Ordinance | 1982-14 | An Ordinance Establishing the Acceptance of Roads in Subdivisions and Repealing Ordinance 1982-6           |
| Ordinance | 1983-03 | Acceptance of Certain Roads in Subdivisions  |
| Ordinance | 1991-09 | An Ordinance Establishing Criteria for Accepting Roads Other than Subdivision Roads for County Maintenance |

		And Repeal Ordinance 1982-7
		The portions of Ordinances 1999-14, 2002-05, 2006-20 that Deal with roads
Ordinance	2003-02	An Ordinance Amending Ordinance 1982-14, An Ordinance Establishing the Acceptance of Roadways in Subdivisions
Ordinance	2006-11	Regulating the Use of County Roads
Ordinance	2007-10	A Road Naming and Addressing Ordinance
Resolution	2001-18	A Resolution Establishing the Scoring Criteria Pertaining To Paving Existing County Roadways
Resolution	2007-09	A Resolution Authorizing the County Administrator to Accept Right of Ways on behalf of Oconee County
Resolution	2008-11	Criteria for Road Improvement Projects in Oconee County

## **Article 1. General Provisions**

These General Provisions shall apply to both Private Roads and Drives and Public Roads.

### ***1. Survey Standards***

Route surveys and plats shall be prepared and survey data entered thereon in accordance with the most recently adopted version of the "Minimum Standards Manual of the Practice of Surveying in South Carolina" established by the SC Board of Registration for Professional Engineers and Land Surveyors, provided that all elevations information shall refer to Mean Sea Level Datum or other established datum (with a minimum of two benchmarks). Accuracy of plats and attendant data shall be no less than required in said manual for Class B Suburban Land Surveys.

### ***2. Utilities***

When utilizing a road right-of-way, all utility lines shall be buried at a depth of at least thirty six (36) inches. Such lines shall be located a minimum of two feet, outside the portion of the road to be surfaced to prevent having to cut into the paved surface or reconstruct drainage structures to serve abutting properties. In order to prevent future road cuts, utility stub-outs shall be added to all utility lines extending beyond the roadway to each property line.

### ***3. Road Signs***

Road name signs shall be installed at all intersections within a subdivision. All other signs shall be installed as required by and at the direction of the County Engineer or his/her designee. All signage will be in accordance with the Manual of Uniform Traffic Control Devices. The developer shall be responsible for all cost of road signage for private drives, private roads, and proposed county roads (at a cost determined by resolution of County Council from time to time) prior to acceptance of road by Oconee County. Any person who shall willfully or maliciously damage, deface, remove or

otherwise tamper with a sign erected by a subdivider or the county designating the name of any county road shall be guilty of a misdemeanor and punished in accordance with this Ordinance. In addition thereto, such person shall be liable to the county for the cost incurred by the county as a result of said criminal acts.

#### ***4. Submission of Road Plans***

Construction plans for roads shall include accurate topographic information with increments of no more than five (5) feet. In addition, all such plans should note the following items: the location and dimensions of all drainage features; routes of surface water drainage for the entire development; a typical cross section of the proposed roadway; road profiles; horizontal and vertical curve designs; right-of-way dimensions; the location of all cuts and fills; finished grade elevation; all necessary erosion control practices, which may include but are not limited to, permanent vegetation, lined or piped ditches or vegetated waterways; and contact information of all interested parties.

#### ***5. Road Alignment and Location***

The direction and pattern of roads shall take advantage of the land contour to eliminate or reduce excessive cutting and filling, and provide roads with reasonable grades.

### **Article 2. Private Road Standards and Regulations**

#### ***1. Private Driveways***

Private driveways shall serve no more than three (3) residential dwellings, and shall be maintained by the property owner(s). No design standards shall apply to private driveways, but driveways must comply with applicable Building and Fire Codes.

#### ***2. Private Drives***

All private drives existing and in use at the time of adoption of these regulations, as well as those private drives under construction prior to the time of adoption, shall be exempted from the standards contained in this section. This exemption shall also extend to those private drives approved by the Planning Department prior to the time of adoption. All other private drives shall:

- (A) serve no more than ten (10) lots or dwellings;
- (B) have a minimum road right-of-way of fifty (50) feet, or an appropriately executed private roadway easement as defined by these regulations;
- (C) have an appropriate encroachment permit from either Oconee County or the South Carolina Department of Transportation;
- (D) have a minimum driving surface width of twenty (20) feet constructed of no less than five (5) inches of compacted crushed stone or gravel base; a minimum height

clearance of thirteen and one-half (13½) feet; and appropriate documentation from a professional engineer licensed by the State of South Carolina certifying the maximum weight limit of any bridge or culvert located along the drive. All bridges and any culvert over which a private drive crosses a perennial stream must include appropriate signage (located at each end of the bridge) displaying the structure's weight limits;

- (E) be maintained by an individual, association of property owners, or commonly held by the property owners fronting the private drive;
- (F) comply with all current fire regulations and codes;
- (G) shall serve no more than ten (10) dwellings, and shall connect to another road, either public or private, on one end only. In the event proposed construction and/or development will result in an existing private drive serving eleven (11) or more dwellings, the existing drive shall be upgraded so as to meet the standards put forth in these regulations for private roads;
- (H) parcel boundaries may extend to centerline of the road, with the appropriate road right-of-way shown on all plats and deeds;
- (I) be named in accordance with adopted E-911 Addressing regulations and procedures;
- (J) allow at least one hundred (100) feet of sight distance for each ten (10) miles per hour of the posted speed limit where the private drive intersects a public road. The sight distance shall be measured from a seeing height of three and one-half (3½), offset fifteen (15) feet from edge of road, feet to an object four and one quarter (4¼) feet in height above the grade of the public road, as stated in SCDOT's 1996 Access and Roadside Management Manual. If the proposed drive does not meet the sight distance requirement, a waiver must be signed by the individual(s) constructing the private drive stating that the property owner(s) is liable and responsible for any accidents, injuries, problems, and property damage resulting from improper sight distance;
- (K) meet all applicable storm water management and sediment control regulations;
- (L) be approved in writing by Planning Commission or designated staff prior to submission of plat(s) to the Register of Deeds for recording. The following shall be prominently printed on the plat(s):

"THE ROAD RIGHT-OF-WAY SHOWN ON THIS PLAT SHALL BE PRIVATE DRIVES NOT OWNED, MAINTAINED OR SUPERVISED BY OCONEE COUNTY, AND WERE NOT CONSTRUCTED PURSUANT TO ANY PLAN FOR FUTURE ACCEPTANCE BY OCONEE COUNTY. ROAD RIGHT-OF-WAYS SHOWN UPON THE PLAT SHALL NOT BE ACCEPTED FOR MAINTENANCE BY OCONEE COUNTY AT ANY TIME IN THE FUTURE UNLESS CONSTRUCTED IN ACCORDANCE WITH ALL ADOPTED OCONEE COUNTY REGULATIONS. MAINTENANCE OF THE RIGHT-OF-WAY SHALL BE THE RESPONSIBILITY OF

- (M) Signage shall comply with the Manual for Uniform Traffic Control Devices;



### 3. Private Roads

Private roads shall provide vehicular access and road frontage to developments, or sections of developments, containing more than ten (10) dwellings. All private, non-dedicated roads shall be prominently indicated as such on plats prior to subdivision approval. Maintenance arrangements for such roads must be noted in writing on subdivision plat submittals and must be subsequently recorded. The development served by a private road shall have direct access into a public road, and no such private road shall be laid out so as to serve property outside the development. All private roads shall:

- (A) serve a minimum of eleven (11) lots;
- (B) have a minimum road right-of-way width of fifty (50) feet;
- (C) be constructed in accordance with the regulations set forth in Article 3.6 of these regulations;
- (D) be maintained by an association of property owners or the developer and be designated on all plats and recorded in appropriate deed covenants and restrictions, or an appropriately executed private roadway easement as defined by these regulations;
- (E) parcel boundaries may extend to the centerline of the road, with the appropriate right-of-way designated on all plats and deeds;
- (F) be legally certified for compliance by a surveyor/engineer licensed by the State of South Carolina;
- (G) be named in accordance with adopted T-911 Addressing regulations;
- (H) meet all storm water management and sediment control regulations;
- (I) be properly approved in writing by Planning Director prior to submission of plat(s) to the Register of Deeds for recording. The following shall be prominently printed on the plat(s)

"THE ROAD RIGHT-OF-WAY SHOWN ON THIS PLAT SHALL BE PRIVATE ROADS, NOT OWNED, MAINTAINED OR SUPERVISED BY OCONEE COUNTY AND NOT CONSTRUCTED PURSUANT TO ANY PLAN FOR FUTURE ACCEPTANCE BY OCONEE COUNTY. ROAD RIGHT-OF-WAY SHOWN UPON THE PLAT SHALL NOT BE ACCEPTED FOR MAINTENANCE BY OCONEE COUNTY AT ANY TIME IN THE FUTURE UNLESS CONSTRUCTED IN ACCORDANCE WITH ALL OCONEE COUNTY REGULATIONS. MAINTENANCE OF THE RIGHT-OF-WAY SHALL BE THE RESPONSIBILITY OF THE

- (J) have installed signs that control the traffic flow in a safe manner as specified by standards in the Manual for Uniform Traffic Control Devices.

With the exception of the requirements put forth in this section, all private roads shall meet the requirements for all Public Roads as defined by this ordinance.

## **Article 3. PUBLIC ROADS**

### ***1. Continuation of Adjoining Road System***

The proposed road layout shall extend existing roads on a logical course at a width which meets the minimum required by this ordinance. A minimum hundred to one (100:1) taper section shall be used to transition from one width to another.

### ***2. Road System Coordination***

The road system within a subdivision shall be coordinated with existing, proposed, and anticipated roads (hereinafter "surrounding roads") outside the subdivision, as determined by Oconee County or the State of South Carolina. Subdivision roads shall intersect with surrounding roads at safe and convenient locations and where necessary to permit the efficient movement of traffic between residential neighborhoods by emergency service vehicles. Subdivision roads shall only enter arterial roads when absolutely necessary. Whenever connections to surrounding roads are required by this section, the road right-of-way shall be extended and the street developed to the property line of the subdivided property (or to the edge of the remaining undeveloped portion of a single tract) at the point where the connection to the anticipated or proposed street is expected. In addition, the permit-issuing authority may require temporary turnarounds to be constructed at the end of such streets pending their extension when such turnarounds appear necessary to facilitate the flow of traffic or accommodate emergency vehicles. All temporary dead-end streets must be approved by the Planning Director and the County Engineer.

### ***3. Road Names***

A proposed road which is obviously in alignment with or an extension of an existing named road shall bear the name of the existing road. Except for the above, in no case shall the name of a proposed road duplicate or be phonetically similar to an existing road name, irrespective of the use of suffix (road, avenue, boulevard, drive, place, court, lane, etc.). It shall be unlawful for any person in laying out any new road to name such road on any final plat or instrument, without first obtaining the approval of the Oconee E-911 Addressing Office.

### ***4. Residential Buffers for Collector or Arterial Roads***

Where a subdivision abuts or contains an existing or proposed collector or arterial road; lots which abut or are adjacent to these existing or proposed collector or arterial roads shall face a local road. Other treatment may also be required, as necessary, for adequate protection of the landscape and residential properties and for separation of through and local traffic. Special treatment may be required, such as screen planting contained in a non-access reservation along the rear property line adjacent to the arterial road.

## 5. Road Design (Geometric Criteria)

In general, geometric criteria for road design shall be in accordance with standards of the South Carolina Department of Transportation (SCDOT). Said standards are those contained in the latest edition of "A Policy on Geometric Design of Highways and Streets" by the American Association of State Highway and Transportation Officials. Local and collector residential roads (public) shall be designed in accordance with the following standards:

(A) Minimum right-of-way, pavement, and shoulder width shall be as follows:

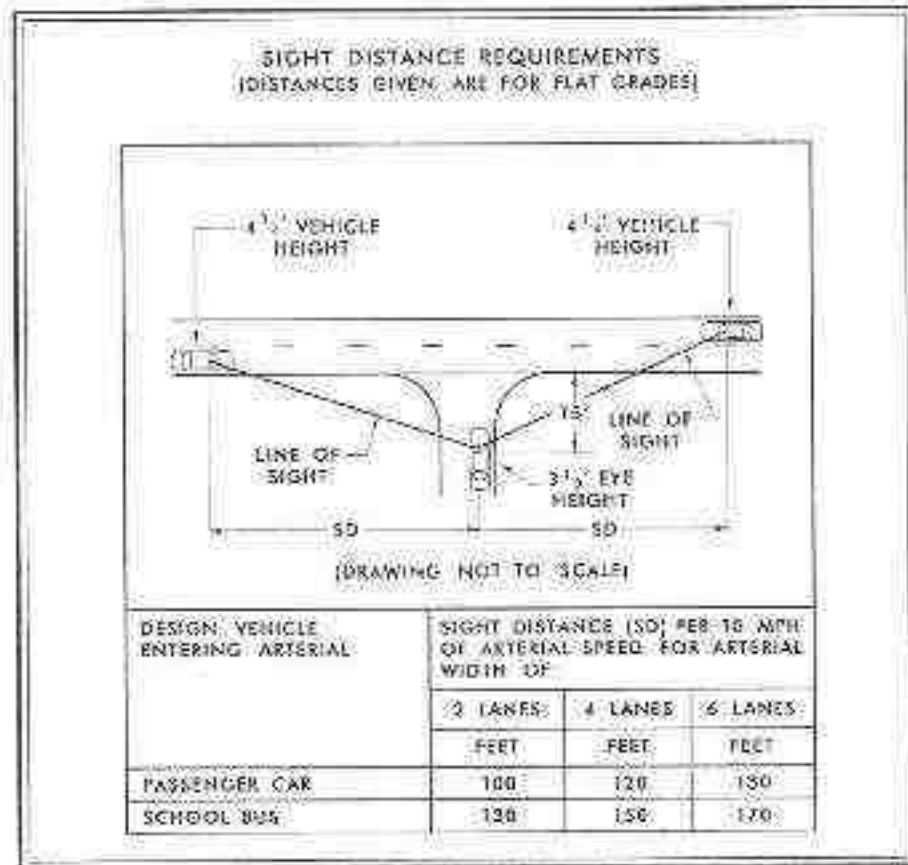
<u>Road Type</u>	<u>Right-of-Way</u>	<u>Pavement</u>	<u>Shoulder</u>
Arterial <sup>1</sup>	66' or greater	28'	10'
Collector	50'	24'	8'
Major local	50'	22'	6'
Minor local	50'	20'	4'

<sup>1</sup> As determined by County Engineer

For high density residential or nonresidential subdivisions or portions thereof, additional right-of-way or pavement width shall be provided when determined as necessary by the Planning Commission or County Engineer.

- (B) Cul-de-sacs shall comply with current fire regulations and codes. Dead-end streets without turnarounds are prohibited. All unpaved islands located within perimeters of a cul-de-sac shall be round in configuration, centered within the right-of-way, curbed and properly drained. The area utilized by any unpaved island shall not be considered part of the minimum area needed to meet the required dimensions for the cul-de-sac or right-of-way and shall be governed by the same standards for planted median islands, as set forth in this ordinance.
- (C) Horizontal curvature shall be introduced at any change in road direction, and the minimum centerline radius shall be one hundred fifty (150) feet for local roads and two hundred fifty (250) feet for collector roads. Arterial road curvature shall be in accordance with State Highway Department standards. Minimum tangent between reverse curves shall be one hundred fifty (150) feet for local roads, and one hundred (100) feet from curve to any intersecting road right of way.
- (D) Stopping distance on vertical curves, horizontal curves, or normal intersections shall allow at least one hundred (100) feet of sight distance for each ten (10) miles per hour of the posted speed limit where the road intersects another public road.

The sight distance shall be measured from a seeing height of three and one-half (3½) feet, offset fifteen (15) feet from edge of road, to an object four and one-quarter (4¼) feet in height above the grade of the public road, as stated in SCDOT's 1996 Access and Roadside Management manual. See drawing.



Minimum sight distance at intersections shall provide a clear sight triangle. The right-of-way shall be clear of obstacles to enable the minimum sight distance required, as determined by the speed limit of the road being accessed increases. The necessary right-of-way in either direction shall be entered upon the final plat prior to recording. Modifications may be required by the County Engineer in order to insure safety.

- (E) Roads shall be designed to intersect as nearly as possible at right angles. In no case shall the angle of intersection be less than seventy five (75) degrees. Minimum radius of curb or pavement edge at intersections shall be at least twenty (20) feet at intersections with local roads and twenty five (25) feet at intersections with collector roads.
- (F) Road grades shall be no less than 0.5 percent and no greater than 12 percent. The following shall apply:

<u>Road Classification</u>	<u>Maximum Grade</u>
Arterial Roads	4 percent
Collector Roads	6 percent
Local	12 percent

- (G) Proposed intersections on one side of a road shall coincide with existing or proposed intersections on the opposite side. Minimum centerline offset for intersections on the opposite side of a road shall be one hundred fifty (150) feet. No



two roads may intersect on the same side of a road at a centerline separation distance of less than four hundred (400) feet.

- (H) Intersections shall be designed with a flat grade whenever practical. When approaching an intersection in hilly or rolling areas, a leveling area shall be provided having not greater than a five percent (5%) grade at a distance of thirty (30) feet, measured from the nearest right-of-way line of the intersecting street.
- (I) If the developer proposes a planted median island, the road right-of-way shall be divided in half for each half of the road (25 feet each side) with each lane centered in the right-of-way. A perpetual maintenance plan shall be submitted to the County prior to construction of said planted median island. Oconee County shall not be responsible for maintaining any median vegetation. Vegetation within the right-of-way may be removed by the County if it presents a safety or visual hazard. All planted medians shall be drained and maintained by methods submitted by the developer and approved by the County Engineer.
- (J) All driveway locations must be approved by the County Engineer.

## **6. Road Construction**

In general, all public roads shall be constructed in accordance with the SCDOT "Standard Specifications for Highway Construction" (latest edition) as it related to earthwork, bases/subbases, paved surfaces, etc. The following requirements shall also apply:

- (A) Paved road surfaces are required for all new roads. The County Engineer may waive the strict application of aggregate requirements for hot mixed asphalt pavement with materials prepared with stone from the Oconee County Rock Quarry.
- (B) The minimum base course for all roads shall consist of type #1 (550 lbs. per square yard) crushed gravel aggregates compacted on the roadway to a depth of not less than five (5) inches. Compaction of the aggregate shall comply with the standards set forth in this ordinance.
- (C) Local Roads – When hot asphaltic mix will be applied, specifications for set up are same as for the surface treatment. Asphalt shall be applied at no less than two (2) inch compacted of type as specified by the County Engineer.
- (D) Collector Roads – Road base shall include five hundred fifty (550) lbs. of stone per square yard (approx. 5) with two (2) inch surface course of asphaltic concrete.
- (E) Industrial/Commercial Roads – Road base shall include six hundred fifty (650) lbs. of stone per square yard (approx. 6) with two (2) inch surface course of asphaltic concrete.
- (F) Road paving is required for all new nonresidential subdivisions falling under the jurisdiction of this ordinance. Pavement design requirements for a non-residential subdivision shall be in accordance with sound engineering principles as outlined in procedures adopted by the American Association of State Highway and Transportation Officials; or the Portland Cement Institute; or the National Asphalt Institute. All designs shall be subject to review and approval of the County Engineer and the Oconee County Planning Commission. However, in no case shall the paving standard be less than the standard required for a new residential subdivision.

- (G) The entire right-of-way area shall be cleared of all stumps, roots, brush, and other objectionable materials prior to grading roads. All tree stumps and other vegetation shall be removed to a depth of two (2) feet below the sub-grade. Rock, when encountered, shall be scarified to a minimum depth of three (3) inches below sub-grade. The entire right-of-way shall be graded.
- (H) All debris and other material deemed unsuitable by the County Engineer shall be removed before any dirt or soil is placed in fill for the sub-grade. Unsuitable materials include any organic matter, unstable soil, trash, large stones, or other items that prevent the soil from being properly compacted.
- (I) All fill lifts shall be formed by placing and spreading the material in successive, uniform, horizontal layers of not more than six (6) inches in depth for the full width of the cross section and shall be kept level by the use of approved equipment. Prior to each subsequent layer the compacted layer shall be scarified before placing fill. The County Engineer or his designated representative may call for compaction tests at the completion of any of the six (6) inch lifts being made. Each level will be compacted to a ninety five percent (95%) proctor.
- (J) Suitable material shall be placed in the embankment for the formation, compaction, and shaping of all embankments, sub-grades, shoulders, slopes, intersections, approaches and private entrances to conform to the typical cross section shown on the approved road construction plan.
- (K) When an embankment is to be on a hillside or against an existing embankment sloping more than twenty (20) degrees from the horizontal, the slope of the hillside or existing embankment shall be plowed deeply or cut into steps before filling is commenced. All embankments shall be formed by placing and spreading the material in successive, uniform, horizontal layers of not more than six (6) inches in depth for the full width of the cross section and shall be kept level by the use of approved equipment. Embankments over and around pipes, culverts, arches, bridges, or other structures shall be constructed of materials approved by the County Engineer.
- (L) All pipe culverts shall consist of the following materials:
  - (1) Reinforced concrete conforming to the requirements of American Association of State Highway Officials (AASHTO) M170 Class 3 pipe.
  - (2) High Density Polyethylene (HDPE) corrugated with a smooth interior pipe conforming to the requirements of American Association of State Highway Officials (AASHTO) M294M, Type S pipe.

All pipe culverts shall be of sufficient size to adequately insure proper drainage. Calculations by a professional engineer licensed by the State of South Carolina must be submitted and approved by the County Engineer. Rip-rap shall be securely installed over an approved silt barrier to the height of the high water mark around the end of all pipe culverts.

- (M) In the event that the Engineer, after consultation with appropriate authorities, deems the crossing of a watercourse to necessitate a bridge, such bridge shall conform to current SCDOT specifications for steel reinforced concrete bridges of at least

twenty-four (24) feet in width. Such bridges shall be at an elevation as to be approved by the County Engineer.

- (N) All drainage inlets and outlets not accessible from the road right-of-way must include a permanent easement allowing Oconee County access to the adjacent property needed to perform necessary maintenance work. Oconee County will not be responsible for any damage off of the right-of-way due to high water or flash flood conditions.
- (O) Property owners adjoining the road right-of-way may request that the County perform work to assist the property owner with a drainage problem. The County may at its discretion construct berms, swales and/or ditches, or install HDPE or concrete pipe within the County maintained road right-of-way. The property owner shall pay two and one-half (2½) times the material costs to cover the material cost and labor for said project. The property owner shall sign a hold harmless agreement releasing the County from any liability associated with future drainage problems, in advance of scheduling the project. Projects will be scheduled on a first pay, first scheduled basis.

In the event the County decides to assist the property owner with the drainage problem, the County Engineer, or his designee will provide a non-binding cost estimate for the material costs of the project first. Special services or equipment needed to complete the job will be billed as invoiced by the contractor or vendor providing the special service or equipment.

- (P) Property owners adjoining the road right-of-way may request that Oconee County perform work within the right-of-way to install driveway aprons and/or culverts within the County maintained right-of-way. The property owner shall pay two and one-half (2½) times the material costs to cover the material cost and labor for said project. The property owner shall sign a hold harmless agreement releasing the County from any liability associated with said work, in advance of scheduling the project. Projects will be scheduled on a first pay, first scheduled basis.

The County Engineer, or his designee, will provide a non-binding, cost estimate for the material cost of the project. Special services or equipment needed to complete the job will be billed as invoiced by the contractor or vendor providing the special service or equipment.

## ***7. Compaction and testing***

Compaction of sub-grade and base courses shall conform to the applicable sections of the latest published edition of the South Carolina Highway Department Standard Specifications for Highway Construction. Nuclear compaction test may be conducted on all sub-bases as directed by the County Engineer. A loaded (minimum of 60,000 lbs. gross weight) tandem roll test of the sub-base shall be performed. Any of the compaction tests may be directed by the County Engineer or his designated representative during an intermediate six (6) inch fill. A loaded (minimum of 60,000 lbs. gross weight) tandem roll test will also be performed upon setup of the base material prior to paving the road.



Any substandard materials will be replaced and retested as directed by the County Engineer or his designated representative. Upon completion of a road, all fills shall be protected by either seeding or rip-rap. All fills of two and a half to one (2½:1) or steeper shall be protected by rip-rap. Shoulders and other disturbed soil along the entire cleared area of the right-of-way shall be seeded in such a manner as to ensure uniform sod.

## ***8. Inspections***

A developer/owner shall notify the County Engineer at least forty-eight (48) hours prior to any requested inspection. Work done prior to inspection is done so at the Contractor's and Owner's own risk and may, upon decision of the County Engineer or designee, be required to be removed and redone or have the quality substantiated by any tests deemed necessary all at the Contractor's and/or Owner's sole expense. Inspections shall be required for the following:

- (A) At the completion of clearing and grubbing operations;
- (B) At the completion of rough grading;
- (C) At the completion of all utility construction along road right-of-way (including but not limited to water, sewer, electrical)
- (D) At the completion of sub-grade;
- (E) After installation and compaction of base course;
- (F) During all pavement applications; and
- (G) Final acceptance inspection.

The Contractor/Owner's engineer shall be present for the following inspections:

- (1) Rough grading inspections;
- (2) Sub-grade;
- (3) Base course inspections; and
- (4) Final acceptance inspection.

## ***9. Financial Responsibility for Maintenance***

Following acceptance for maintenance by Oconee County of any road, the developer/owner shall be financially responsible for all maintenance necessary due to deficiencies resulting from initial construction for a period of three (3) years. The developer/owner shall post a bond or a letter of credit for the estimated cost of maintaining the road for three (3) years from the date of acceptance. The County Engineer shall determine the amount of the bond or letter of credit. The bond or letter of credit shall be maintained by the Oconee County Finance Department. The bond or letter of credit shall expire after three (3) years from the date of acceptance of the road, or in the case of a subdivision road, after a build out of seventy percent (70%) of the subdivision, whichever occurs first. In order to facilitate the acceptance process, once a road had been substantially completed the developer/owner may request a written punch list from the County Engineer. The punch list will note the items that must be completed prior to acceptance of the road by Oconee County.



## ***10. Contracts***

Notwithstanding any other provision of this section, the owner/developer may utilize an independent contractor to perform road work. In such case, the owner/developer shall be fully responsible for work performed by the contractor on said roads.

## ***11. Financial Liability***

The owner/developer shall be responsible for all costs in the design and construction of a road until said road is accepted as a County road by the County.

## ***12. Road Swales and Channels***

All roadway ditches and channels shall be designed to contain, at minimum, a peak flow from a twenty five (25) year frequency storm. All roadway ditches and channels shall be designed so that the velocity of flow expected from a twenty five (25) year frequency storm shall not exceed the permissible velocities for the type of lining used. Rip-rap shall be placed for stops in road drainage swales as instructed by the County Engineer. Swales shall be stabilized against erosion by grassing with a mixture of Rye and Bermuda grass, or the appropriate grass for the season. Road swales shall be installed at a maximum depth of three (3) feet and be designed to enable mowing by adjoining property owners.

## ***13. Road Maintenance Signs***

Where subdivision roads are not to be dedicated to the State or County for public maintenance the subdivider shall install signs that control traffic flow in a safe manner as specified the Manual of Uniform Traffic Control Devices. Also, at the beginning of the private subdivision roads there shall be signs which state "Private Road." The subdivider may assume the responsibility to install signs provided the County Engineer approves in writing the signage.

## ***14. Roadside Drainage***

Roads may be constructed with drainage swales shoulders at a twelve to one (12:1) slope. Where road grade exceeds ten percent (10%), curb and gutter, paved drainage swales, or rip rap swales shall be provided. Curb and gutter may be roll type or standard 90 degree curb.

### ***15. Temperature and weather restriction on asphalt paving work***

- (A) No hot mix asphalt surfacing work shall be performed on wet surface, or when the temperature is below 45 degrees Fahrenheit in the shade and falling, or when weather conditions are otherwise unfavorable. Unless approved in writing by the County Engineer, no surface treatment of a road planned by the owner/developer for acceptance into the County Road System shall be begun before March 15 of each year. Unless approved in writing by the County Engineer, surface treatment of a road planned by the owner/developer for acceptance into the County Road System shall be completed prior to October 15.
- (B) The mixture shall be delivered to the spreader at a temperature between 225 degrees Fahrenheit and 325 degrees Fahrenheit and, except for sand asphalt mixture for base course construction, within 30 degrees Fahrenheit of the temperature at the plant.

### ***16. Drainage Structures***

- (A) Crossline pipes shall be designed to carry runoff from a 25 year- 24 hour design storm and shall be RCP Class III concrete. The design shall be determined using runoff data sources and standard methods approved by the County Engineer. In no event shall a pipe less than eighteen (18) inches in diameter be accepted by the County. Crossline pipe along waterways in which vehicular traffic has no other exit shall use a 100-year design storm.
- (B) Concrete culverts must conform to South Carolina Highway Department requirements. HDPE double wall corrugated with a smooth interior pipe conforming to the requirements of American Association of State Highway Officials (AASHO) M294M, Type S pipe or an approved equivalent shall be accepted where sufficient fill over the pipe is provided. No corrugated metal pipes shall be accepted. No culvert shall be less than fifteen (15) inches in diameter.
- (C) Unless approved by the County Engineer prior to construction, all pipes shall be laid in a trench. All trenches shall be excavated so as to allow for safe and proper installation. All backfill work shall comply with standards specified by the pipe manufacturer, however, in no case shall backfill covering a culvert be less than ten (10) inches deep (pavement and/or base thickness shall not be considered part of this required minimum depth). All fill shall be compacted to 95% of standard proctor test in the top foot of fill.
- (D) The jointing of sections of culvert shall be done in a workmanlike manner in accordance with the standard practice recommended by the manufacturer of the culvert being used.
- (E) The ends of all pipe culverts shall be properly protected to prevent piping, erosion and scour. Placement of filter fabric and rip-rap shall be considered minimum treatment. End treatments shall be approved by the County Engineer and shown on the plans.
- (F) All crossline drainage culverts shall be located in natural drainage areas or depressions, and shall terminate in a dedicated drainage easement no less than twenty (20) feet wide.

- (G) Junction boxes of an approved type will be constructed at all points where the line of pipe changes course or direction ten (10) degrees or more and at proper intervals along the line of pipe.
- (H) A means of access to inlet and outlet points of drainage structures and appurtenances must be provided and shown on the plans. Oconee County shall not be held liable for flood damage outside recorded drainage easements.
- (I) Exits for surface water in sideline ditches shall comply with the standards put forth in the following Table:

**Table – SURFACE WATER EXIT INTERVALS**

<b><u>ROAD GRADE</u></b>	<b><u>MAXIMUM EXIT INTERVAL</u></b>
<b><i>0-2%</i></b>	<b><i>800 FEET</i></b>
<b><i>2.1-4%</i></b>	<b><i>700 FEET</i></b>
<b><i>4.1-6%</i></b>	<b><i>600 FEET</i></b>
<b><i>6.1-8%</i></b>	<b><i>500 FEET</i></b>
<b><i>8.1-10%</i></b>	<b><i>400 FEET</i></b>
<b><i>10.1-12%</i></b>	<b><i>300 FEET</i></b>
<b><i>MORE THAN 12%</i></b>	<b><i>200 FEET</i></b>

- 17. Sidewalks shall not be located within the road right-of-way.

## **Article 4. COMMERCIAL AND INDUSTRIAL ROADS AND STREETS**

In addition to residential road requirements set forth, the following standards shall apply to commercial and industrial roads.

### ***1. Right-of-ways and road widths***

The following right-of-way and road widths are established:

- (A) Right-of-Way: Minimum width is sixty six (66) feet.
- (B) Roadway Width: Width is twenty four (24) feet with twelve (12) foot lanes plus two (2) foot valley gutters or six (6) inch high curbing and two (2) foot concrete valley on each side.

### ***2. Grades***

- (A) The minimum grade shall not be less than one percent (1%) and the maximum shall not be more than seven percent (7%).

- (B) All proposed street grades, when intersecting an existing street or highway, shall be constructed so as to meet the same horizontal grade at the existing intersection and shall have an elevation for a distance of thirty (30) feet equal to the curb line grade of the existing street to which the proposed connection is being made. All proposed street connections to existing streets or highways having existing sidewalks crossing their intersection alignment shall be constructed by removal of the sidewalk to the new proposed curb radii.

### ***3. Horizontal (circular) curves***

Where a deflection angle of more than five (5) degrees in the alignment of the street occurs, the right-of-way shall be curved. The minimum horizontal radius of curvature at the centerline of the proposed street right-of-way shall not be less than two hundred fifty (250) feet.

### ***4. Vertical (crest-sag) curves***

Changes in vertical grade shall be connected by vertical curves of minimum length equal to twenty five (25) times the sum of both approaching grades stated in percent of grade. Example: a 5% slope upward meeting a 4% slope downward requires a curve length of  $9 \times 25 = 225$  feet.

### ***5. Intersecting roads and road offsets***

- (A) Intersecting roads – Industrial/commercial roads shall be laid out so as to intersect as nearly as possible at right angles and no road shall intersect any other road at an angle less than eighty (80) degrees.
- (B) Road Offsets – Where there is an offset in the alignment of a road across an intersection, the offset of the centerline shall be not less than two hundred (200) feet.

### ***6. Cul-de-sacs***

The circular right-of-way radius shall be sixty six (66) feet and paved turning circle with the same center point and a radius of fifty (50) feet is required.

### ***7. Temperature and weather restrictions on asphalt paving work***

- (A) No hot mix surfacing work shall be performed on wet surface, or when the temperature is below 45 degrees Fahrenheit in the shade and falling, or when weather conditions are otherwise unfavorable. Unless approved in writing by the County Engineer, no surface treatment of a road planned by the owner/developer for acceptance into the County Road System shall be begun before March 15 of each year. Unless approved in writing the County Engineer, no hot mix surface



treatment of a road planned by the owner/developer for acceptance into the County Road System shall be done after October 15.

- (B) The mixture shall be delivered to the spreader at a temperature between 225 degrees Fahrenheit and 325 degrees Fahrenheit and, except for sand asphalt mixture for base course construction, within 30 degrees Fahrenheit of the temperature at the plant.

## **Article 5. ROAD UPGRADES**

### ***1. Upgrade of Existing County Roads***

A. Roads owned and/or maintained by Oconee County shall be listed on a Road Maintenance Plan maintained by the County Road Department. Any road not meeting the current standards for public roads as adopted by Oconee County shall be identified. Those roads that do not meet the current County standards and are in the Primary Development Areas identified on the Oconee County Future Land Use Map shall be placed on the Priority Upgrade List. A rating system shall be used to prioritize the roads on the Priority Upgrade List, with those roads receiving the highest score having the highest Priority. Until the Oconee County Future Land Use Map is amended in 2009, Primary Development Areas shall include those areas identified in the Comprehensive Plan defined as Residential Areas and Transitional Growth Areas.

B. Roads on the Priority Upgrade List shall be upgraded in such a manner as to account for the current and projected traffic levels. These projections shall be based upon the best information available and anticipate changes occurring over the next 25-year period.

C. The following rating factors shall be used in determining the Priority Upgrade List: (1) Condition and Width of driving surface; (2) Existing hazards; (3) Right-of Way acquisition; and (4) Current and projected traffic levels.

D. County roads (whether paved or gravel) that are located outside the Primary Development Areas as identified in the Oconee County Future Land Use Map may be placed on the Priority Upgrade List based on the recommendation of the County Engineer and the agreement of the Council's Transportation Committee.

E. The County Engineer shall review all roads within the County road system on an annual basis and make recommendations to the Oconee County Planning Commission regarding changes to the Priority Upgrade List. The Planning Commission shall review the Priority Upgrade List on an annual basis and make recommendations to County Council for changes to the List. The County Engineer shall estimate a projection completion date for all roads on the Priority Upgrade List. The County Engineer shall update the projected completion date on an annual basis. The County Engineer shall consider available funding sources in making these completion projections.

F. In order to fund the upgrade of County roads based on the Priority Upgrade List, twenty percent (20%) of all roll-back taxes (excluding taxes for schools) shall be earmarked for road upgrades. In addition, ten percent (10%) of all tax incremental increases (excluding taxes for schools) based upon new development along an upgraded County road for a period of ten years shall be used for the upgrade of roads on the Priority Upgrade List. The use of these two funding sources shall not limit County Council from funding additional road projects from other available funding sources.

G. In the event that a developer/subdivider is required to upgrade a County road in accordance with Oconee County regulations, the developer/subdivider shall receive reimbursement for the upgrade of said road, including right-of-way acquisition, by receiving 10% of the incremental tax increase as a result of development along said upgraded road annually for a period not to exceed ten (10) years from the date of the completion of the upgrade of the road. If the developer/subdivider receives reimbursement of 100% of his/her/its cost of the upgrade prior to the expiration of the ten (10) year period, developer/subdivider's right to the reimbursement shall cease.

H. A developer/subdivider who is planning a development that will impact a County road in such a way that the road classification will change, and said road is already scheduled to be upgraded by the County within the next five years, according to the Priority Upgrade List, may bump said road to the top of the Priority Upgrade List by agreeing to allocate 10% of the proposed development for affordable housing or provide the same amount of affordable housing in another location in Oconee County. Affordable housing provided in this section shall be of the same type of construction (ex. stick built, modular, etc.) as the new development.

## ***2. Impact on Existing Roads System***

In order for Oconee County to approve a subdivision site plan, a subdivision plat or a building permit for a subdivision project, the county road or network of county roads that serve said proposed development must be adequate to accommodate any increase in traffic resulting from said proposed development. For all developments consisting of more than ten (10) dwelling units, the developer/subdivider shall submit a traffic impact/road capacity study demonstrating the impact of traffic upon any County road servicing the subdivision, either directly or indirectly. The traffic impact/road capacity study shall be reviewed by the Oconee County Planning Director and the County Engineer. In the event that the County Planning Director and the County Engineer determine that the subdivision will increase the average daily traffic (ADI) on a County road to the extent that said road will need to be upgraded to safely accommodate the increase in traffic, improvements to the road must be made in accordance with the Road Classification set forth in the Definitions section of this subdivision Ordinance. The developer/subdivider shall be responsible for all costs (including right-of-way acquisition) necessary to upgrade the road.

### **3. Criteria for road improvement projects**

- (A) A minimum of 50 feet of right-of-way is required for the entire road.
- (B) Utilities must not be located, to the extent practicable, beneath the road surface (excluding sanitary sewer).
- (C) A minimum of 50 foot radius of right-of-way is required for the purpose of constructing an appropriate turn-around for improvements projects along terminating roads.
- (D) Road improvement projects to match existing county standards, to the extent practicable.

The above criteria shall apply to paved and unpaved road improvement projects. From time to time, Council may need to waive the above requirements on a case-by-case basis.

### **4. Scoring Gravel Roads**

A Trip Generation Prediction will be calculated with data collection and other methods outlined by the Institute of Transportation Engineers.

ADT (Modeled or Measured Average Daily Trips) will be combined with Safety Parameters as follows:

Slope or grade	X	20 points
Intersection	X	20 points
Width	X	20 points
No Cul de sac	X	20 points
Alignment	X	20 points

ADT and Safety parameters will be the primary factors in scoring gravel roads.

For example, if traffic count were measured to be 480 ADT, and the slope exceeded 12%, it was 20', and had no cul-de-sac the score would equal  $480 \div 60 = 540$ .

## **Article 6. ACCEPTANCE OF ROADS INTO COUNTY ROAD SYSTEM**

The following provisions shall apply to the construction of any road intended for future acceptance into the County Road System.

- (A) No road shall be accepted by Oconee County for maintenance and incorporated within the Oconee County Road System unless the same be shown and delineated upon a plat of survey duly recorded in the office of the Oconee County Register of Deeds.
- (B) A construction plan with sufficient detail, including a cross section of the proposed road, shall be submitted to the County Engineer prior to

commencement of construction. No construction shall commence unless the plan has been approved by the County Engineer.

- (C) A deed granting a right-of-way as specified in this ordinance shall be tendered to Oconee County by the property owner/developer before a road shall be accepted into the County Road System. Upon acceptance of such deed or right-of-way by the county, the owner/developer shall be notified in writing of the fact of such acceptance, and the same writing shall constitute an agreement on the part of the County to maintain and incorporate the said road into its system. The Oconee County Administrator shall accept or deny the proffered deed or right-of-way for the County upon receipt of certification by the County Engineer that said road has been constructed in accordance with the regulations set forth in this Ordinance.
- (D) Prior to acceptance by Oconee County for maintenance and incorporation within the Oconee County Road System, all roads shall meet all road construction standards set forth in this Ordinance.
- (E) No road shall be accepted into the Oconee County Road System until the surface is treated in a manner and using such materials as approved by the Oconee County Engineer. The County Engineer shall furnish specification requirements upon request. The County Engineer shall be notified by the developer/owner prior to the commencement of any construction, and shall be given periodic progress reports and periodic inspection reports as specified by the County Engineer. Such progress and inspection reports are to include notification of the ending and planned commencement of construction intervals or phases. The County Engineer shall certify in writing to County Council that the road to be accepted into the Oconee County Road System has been constructed in accordance with the regulations set forth in this Ordinance. A copy of the certification shall be sent to the County Administrator.
- (F) The County may accept a road as a County Road through the creation of a special tax district, a legislatively created administration division of the county whereby resident freeholders fund, through the collection of uniform fees included on the annual property tax bill, upgrades to existing private roads in order for such roads to meet the standards of and for the purpose of acceptance into the county road system.
- (G) No expenditures of any public funds shall be made on any road or right-of-way, which has not been accepted as a County road.
- (H) The roadway must connect to at least one federal, state, county, or municipal roadway.
- (I) The County Administrator is hereby authorized to accept roads and rights-of-way on behalf of county.



## **Article 7. REGULATING THE USE OF COUNTY ROADS**

### ***1. Damages***

A. Any person, entity or utility that engages in an activity which causes damage to a county road or road structure shall be responsible for repairing said county road or road structure to SCDOT standard specifications for highway construction. This does not include normal wear and tear to a road caused by normal use of said road.

B. Any person driving, operating or moving any vehicle, object or contrivance upon any county road or road structure shall be liable for any damage which road or structure may sustain as a result of dragging, scraping, breaking or any other damage done to said road or structure. Any such persons will also be liable to the county for the cost of such injury or damage.

C. Any person making unauthorized modifications to a county road or road structure shall be responsible for the costs of returning the road or structure to its original condition.

### ***2. Drainage***

A. Property owners adjoining the road right-of-way may request that the county perform work to assist the property owner with a drainage problem. The county may construct berms, swales and/or ditches, or install plastic or concrete pipe along the county maintained road right-of-way. The property owner shall pay 2.5 times the material costs to cover the material cost and labor for said project. The property owner shall sign a hold harmless agreement releasing the county from any liability associated with future drainage problems, in advance of scheduling the project. Projects will be scheduled on a first pay, first scheduled basis.

B. The county engineer, or his designee, will provide a cost estimate for the material costs of the project. Special services or equipment needed to complete the job will be billed as invoiced by the contractor or vendor providing the special service or equipment.

C. The county cannot assist in any drainage matter outside of the road right-of-way, and may only perform work within the county right-of-way.

### ***3. Encroachment***

A. All persons desiring to excavate within, encroach upon, or in any way alter a county maintained road and/or right-of-way, shall notify the county engineer and submit to the county road department an application for an encroachment permit, together with the required fees and security as determined periodically by county council, at least 48 prior to initiating such work. A schedule of required fees and securities shall be available for review from the county road department.

B. Upon completing the permitted activity, the applicant shall restore the county-maintained road and/or right-of-way to its original condition, insuring that all repairs conform to the requirements contained in the SCDOT standard specifications for

highway construction. Eighteen months after the permitted activity, the security shall be returned to the applicant provided the county engineer, upon final inspection, approves the repair. If the county engineer deems the repair to be unacceptable, the security shall be retained by the county and used to properly repair and restore the road and/or right-of-way to its original condition. Once the road and/or right-of-way has been properly repaired, any excess security will be returned to the applicant.

#### ***4. Road Safety***

A. All persons shall park vehicles and equipment at least three feet from the edge of the pavement on all roads. Parked vehicles and equipment shall not block ditches and swales or in any way inhibit drainage.

B. No person shall place any type of material within three feet of the pavement.

C. No person shall place a sign on a road in the county that will restrict visibility or inhibit sight lines of drivers.

D. Signs on roads in the county, remaining for more than seven days, will require an encroachment permit from the road department.

#### ***5. Penalties***

Failure to comply with any of the requirements of this article constitutes a misdemeanor and shall be punishable by a fine not to exceed \$1,000.00 dollars. In addition, in the event that the county must file a civil suit in order to enforce its rights under this article, the county shall be entitled to reasonable attorney's fees.

### **Article 8. VARIANCE FROM ROAD STANDARDS**

Any variance from these road standards shall be consistent with the intent of this Ordinance, and shall be approved in writing by the Zoning Board of Appeals. Any person or entity requesting a variance from road standards shall submit a written request for a variance to the Planning Director of Oconee County. A variance can only be granted for actions to take place in the future. No variance may be granted for past actions.

Prior to scheduling a Variance Hearing before the Zoning Board of Appeals, the person or entity requesting said variance shall work with the Oconee County Planning Department and the Oconee County Road Department in an effort to eliminate or minimize the need for a variance. After reasonable efforts and no other solution can be reached, a hearing shall be scheduled before the Zoning Board of Appeals. The County staff shall submit written reports to the Zoning Board of Appeals setting forth the County regulation in question, the efforts made to remedy the situation, and a recommendation setting forth the County's position regarding the variance. These written reports shall be submitted to the person or entity requesting the variance at least five (5) days before the Variance Hearing.

Notice of the Variance Hearing shall be provided by First Class Mail to the person or entity requesting the variance at least fifteen (15) days prior to the Hearing. Notice of the Hearing shall also be published in a newspaper of general circulation in Oconee County at least fifteen (15) days before the Hearing.

Any party may be represented by counsel. Any person or entity that would be directly impacted by the granting or denial of the variance may participate as a party in the hearing, provided notice of intent is submitted in writing to Planning Department at least seven (7) days prior to the Hearing. The Planning Department shall immediately notify all other parties of the new party's participation. The County may support or oppose the variance request or be neutral.

The Board shall make the initial determination concerning the variance request and may consider any and all evidence it deems relevant concerning the variance issue. The paramount issue for all variance requests shall be the reasonable safety of the road under the proposed circumstances. If the Board concludes that a safe road can be constructed without strict application of the regulations set forth in this Ordinance, the Board may then consider issues such as the cost of right of way acquisition, placement of utilities, and unusual circumstances in determining whether to grant a variance. The Board should use reasonable discretion in its decision making.

A person or entity whose request for a variance has been denied by the Board may appeal the Board's decision to the Transportation Committee of the Oconee County Council.

OCONEE COUNTY, SOUTH CAROLINA

ATTEST:

\_\_\_\_\_  
George Blanchard  
Chairman, Oconee County Council

\_\_\_\_\_  
Elizabeth G. Hulse  
Clerk to County Council

First Reading: November 6, 2008 [in title only]  
Second Reading: November 18, 2008  
Public Hearing:  
Third Reading:





State of South Carolina  
County of Oconee County  
**ORDINANCE 2008-20**

**"AN ORDINANCE TO AMEND THE LAND DEVELOPMENT AND SUBDIVISION REGULATIONS CHAPTER OF THE OCONEE COUNTY UNIFIED PERFORMANCE STANDARDS ORDINANCE [CHAPTER 6], REPEALING ORDINANCE 2002-05 [Passed May 7, 2002], ORDINANCE 2006-07 [Passed May 1, 2006], AND ORDINANCE 2006-20 [Passed August 15, 2006]."**

**WHEREAS**, Oconee County adopted the Unified Performance Standards Ordinance, Ordinance 99-14, to establish various standards on various land uses within the unincorporated areas of the county; and

**WHEREAS**, County Council must from time to time review and amend said standards to account for changes resulting from growth and development, as well as to better manage anticipated changes and avoid imposing negative impacts on the citizens of Oconee County; and

**WHEREAS**, the Land Development and Subdivision Chapter of the Unified Performance Standards Ordinance contains regulations governing road design as well as subdivision standards; and

**WHEREAS**, other Oconee County ordinances govern various aspects of road design in addition to the Land Development and Subdivision Chapter of the Unified Performance Standards Ordinance, potentially confusing those individuals needing to determine specific requirements for roads in Oconee County; and

**WHEREAS**, County Council desires to publish adopted regulations in a logical, consistent format, enabling the public to easily access and understand all standards applicable to their needs;

**NOW, THEREFORE**, be it ordained by the Oconee County Council that Chapter 6 of the Unified Performance Standards Ordinance (#02-05, #06-07 & #06-20) shall be amended so as to repeal the existing wording in its entirety, and replaced by the following:

## **CHAPTER 6, ARTICLE 1: General Provisions**

### ***Section 1.1 Short Title***

This ordinance shall be known and cited as the "Oconee County Land Development and Subdivision Regulations Ordinance."

### ***Section 1.2 Authority***

These land development and subdivision regulations are adopted under authority granted by Title VI, Chapter 29 (6-29-1120) et. seq., of the Code of Laws of South Carolina, 1976.

### ***Section 1.3 Jurisdiction***

These regulations shall apply to the development and subdivision of land within the unincorporated areas of Oconee County as now or hereafter established and any incorporated municipality which contracts with the Oconee County Council for these regulations to be administered within such municipality. Regulations contained within this ordinance that apply to the construction and maintenance of roads shall apply to all roads and drainage structures, whether public or private, constructed within any unincorporated area of Oconee County and municipalities contracted with the Oconee County Council for administration of these regulations. Regulations contained within this Ordinance that apply to the construction and maintenance of roads, appurtenances or drainage structures shall apply to all public and private roads, drives and driveways in the unincorporated areas of Oconee County; also included shall be all municipalities contracted with the Oconee County Council to administer these regulations. These regulations shall not apply to those roads completed, under construction, or approved (accepted) by Oconee County prior to adoption of this Ordinance by County Council. In the event that a regulation in this ordinance conflicts with any other county regulation, the more stringent standard shall apply.

### ***Section 1.4 Purpose***

The purpose of this ordinance is to protect and promote the public health, safety and general welfare of the citizens of Oconee County, South Carolina, providing for the harmonious, progressive, and orderly development of land. These regulations are established for the following specific purposes, among others, as provided for in the South Carolina Local Government Comprehensive Planning Enabling Act of 1994 (Section 6-29-1120 of the Code of Laws of South Carolina, 1976, et seq.):

- (1) to encourage the development of an economically sound and stable county;
- (2) to assure the timely provision of required streets, utilities, and other facilities and services to new land developments;

- (3) to assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in and through new land developments;
- (4) to assure the provision of needed public open spaces and building sites in new land developments through the dedication or reservation of land for recreational, educational, transportation, and other public purposes; and
- (5) to assure, in general, the wise and timely development of new areas, and redevelopment of previously developed areas in harmony with the County's Comprehensive plan.

## CHAPTER 6, ARTICLE 2

## DEFINITIONS

When used in the Ordinance, the following words and terms shall have the meaning indicated. Words and terms not herein defined shall have their customary dictionary definitions. The term "shall" is mandatory. When not inconsistent with the content, words used in the singular number include the plural and those used in the plural number include the singular.

- (1) Apartment Complex – A building or portion thereof, other than a hotel, divided into more than two dwelling units which are arranged in such a manner as to be used for lodging by separate households.
- (2) Applicant – The developer or agent of the developer who applies for a subdivision review and is designated as the primary contact for said subdivision.
- (3) Average Daily Traffic – The number of trips made by vehicles that will be utilizing a road, intersection or other reference point in a twenty four (24) hour period.
- (4) Block – A parcel of land entirely surrounded by roads or highways, railroad right-of-ways, waterway, or combination thereof.
- (5) Building Footprint – The area included within surrounding exterior walls, or exterior walls and fire walls, exclusive of courts.
- (6) Building Line – A line beyond which no part of the structure of any building shall project, with the exception of subsurface projection of footings, measured perpendicular to the property line. This includes, but is not limited to, the building, eaves, porches, decks, chimneys, bay windows, and fire escapes.
- (7) Building Permit – A document or certificate issued by Oconee County authorizing construction, enlargement, alteration, moving of, or demolition of a building or structure, or the placement of a mobile home (manufactured housing).
- (8) Cleared or Grubbed Areas – The area within the road right-of-way that is cleared of vegetation.
- (9) Comprehensive Plan - Any legally adopted part or element of the Comprehensive Plan of Oconee County, South Carolina. This plan may include, but is not limited to the Community Facilities, Population, Economic Development, Land Use, Natural Resources, and Housing elements.
- (10) Condominium Complex – A building or group of buildings containing dwelling units in which are individually owned. The structure, common areas, and other facilities are owned by the developer and/or the owners of the individual units on a proportional or individual basis.

- (11) Crosswalk – An area with a width of ten (10) or more feet dedicated for public use, and intended for pedestrian access to adjacent land area.
- (12) Cul-de-sac – A local road (minor) with one end open to traffic and the other end terminated with a planned vehicular turnaround.
- (13) Density – The number of dwelling units or lots per acre of land developed or used for residential purposes.
  - (A) Low Density – 2 or less dwelling units per acre
  - (B) Medium Density – From 2.1 to 6.0 dwelling units per acre
  - (C) High Density – Over 6 dwelling units per acre

Note: High density lots with less than 150 ft. frontage will necessitate special access considerations by the county.

- (13) Developer – An individual, partnership or corporation (or agent therefore) that undertakes the activities covered by these regulations.
- (13a) Development – Any man-made change to improved or unimproved real estate including, but not limited to: new homes, building structures, dredging, filling, grading, paving, or excavation operations.
- (14) DHEC – The South Carolina Department of Health and Environmental Control.
- (15) Dwelling – A building or portion of a building arranged and/or designed to provide living quarters for one or more families where each dwelling is provided with separate kitchen and bathroom facilities.
  - (A) Single Family Dwelling – A detached dwelling designed for or occupied exclusively by one family on a single lot.
  - (B) Duplex – A building arranged or designed to be occupied by two (2) families living independently of each other on a single lot.
  - (C) Group Dwelling – A group of two or more principal structures built on a single lot, parcel or tract of land and designed for occupancy by separate families.
  - (D) Multiple Family Dwelling – A building or series of buildings on the same lot used or designed as a dwelling place for three (3) or more families living independently of each other, with the number of families in residence not exceeding the number of dwelling units provided.
- (16) Dwelling Unit – One or more rooms connected together and constituting a separate, independent housekeeping establishment, with provisions for cooking, eating and sleeping, and physically set apart from any other rooms or dwelling units in the same structure.
- (17) Easement – A grant of one or more specific property rights by the property owner permitting a specific use or uses to the public, a corporation, or another person or entity. No land is dedicated to the party receiving an easement; only permission to the land for a specific purpose.
- (18) Easement, Private Roadway – an easement that grants access for all utility and roadway construction and maintenance.
- (19) Flood – A temporary overflowing of water onto land that is usually devoid of surface water.



- (20) Flood Plain – Land areas adjoining a river, stream or water course which are subject to a one percent or greater chance of flooding in any given year. These areas are specifically established by the Federal Emergency Management Agency, according to the Flood Insurance Study for Oconee County.
- (21) Full Pond Level – Full pond level is 660 feet above mean sea level on Lake Hartwell, 800 feet above mean sea level on Lake Koowee, and 1110 feet above mean sea level on Lake Jocassee.
- (22) Half Road – A road located so that a cross-section of its width lies on more than one parcel.
- (23) Lake – A considerable inland body of standing water.
- (24) Land Development – The changing of land characteristics through redevelopment, construction, subdivision into parcels, condominium complexes, apartment complexes, commercial parks, shopping centers, industrial parks, mobile home parks, and similar developments for sale, lease, or any combination of owner and rental characteristics.
- (25) Lot – A single parcel or tract of contiguous land intended as a unit for transfer of ownership, or for building development, or both.
- (A) Lot Area – The total gross area of the lot including easements.
- (B) Corner Lot – A lot with frontage on at least two intersecting roads located at the point of intersection.
- (C) Lot Depth – The mean horizontal distance between the front and rear lot lines.
- (D) Double Frontage Lot – A parcel having frontage on two (2) or more roads which is not located at any intersection of such roads.
- (E) Lot Width – The horizontal distance between the side lot lines at the building setback line measured parallel with the front lot line or in the case of a curvilinear road measured parallel to the chord of the arc between the intersection of the side lot lines and the road right-of-way line.
- (26) Minor Subdivision – A minor subdivision is any subdivision of a parcel that is reviewed by the county that:
- (A) Results in a total of no more than ten (10) lots, and
- (B) May or may not involve the construction of a private drive, private road, or public road.
- (27) Mobile Home (Manufactured Housing Unit) – A detached, single family dwelling designed for long-term occupancy, designed to be transported on its own axle and wheels, arriving at the site in sections or a complete dwelling unit, usually including major appliances and furniture, and ready for occupancy. Removal of wheels and placement of a foundation does not change the mobile home classification. A travel trailer is not a mobile home.
- (28) Multi-family Housing – A building or buildings designed to be occupied by two or more households living independently of each other, with the number of households in residence not exceeding the number of dwelling units provided.
- (29) Natural Vegetative Buffer – Plants, trees, and vegetation that normally survive in Oconee County without the need of fertilizers, herbicides, or pesticides.

- (30) Oconee County Road – Any paved road, gravel road, dirt road or bridge that is owned and/or regularly maintained by Oconee County and considered part of the County road system.
- (31) Open Space Site – A tract of land provided in residential subdivisions to meet the local recreational needs and desires of residents. Such tracts may include play areas, parks, natural woods, open fields and meadows and areas of scenic beauty.
- (32) Owner's Engineer – An engineer registered and in good standing with the S.C. Board of Registration for Professional Engineers and Land Surveyors who is the agent of the owner of the land proposed to be subdivided, or which is in the process of being subdivided.
- (33) Owner's Land Surveyor – A land surveyor registered and in good standing with the S.C. Board of Registration for Professional Engineers and Land Surveyors who is the agent of the owner of the land proposed to be subdivided, or which is in the process of being subdivided.
- (34) Parking, Off-Street – An area adequate for parking an automobile with room for safely opening doors on both sides, together with properly related access to a public road arranged so that no maneuvering incidental to parking shall occur on any road.
- (35) Perennial Stream – Any creek, river, or other water course that has flowing water year-round.
- (36) Person – Any individual, corporation, company, partnership, organization, utility and/or municipality.
- (37) Planning Commission – The Oconee County Planning Commission and planning staff specifically authorized to carry out certain functions on its behalf.
- (38) Plat – A map or drawing which is an accurate graphical representation of a subdivider's plan for a subdivision.
- (A) Sketch plan – A simple sketch of a proposed subdivision layout showing roads and other principal features. The sketch plan is preparatory to the preliminary and final plats and may enable the subdivider to save time and expense in reaching general agreement as to the form of the plat and the objectives of these regulations.
- (B) Preliminary plan (plat) – A drawing which shows the proposed layout of a subdivision in sufficient detail to indicate its working ability in all aspects.
- (C) Final plat (plan) – A drawing which shows the 'as built' layout of all road construction, public utilities, public facilities, and lots to be sold.
- (39) Potable Water – Water used or treated by a water company or utility to be sold for human consumption.
- (40) Private Driveway – A driveway that provides vehicular access and road frontage to not more than three (3) single family residences.
- (41) Private Drive – A privately owned and maintained right-of-way or an easement that specifically grants the right for utilities and all road work, that provides vehicular access and road frontage to not less than 4 and not more than ten (10) single family residential lots.

- (42) Private Road – A privately-owned and maintained right-of-way that contains a roadway constructed in accordance with these regulations and provides vehicular access and road frontage to more than ten (10) single-family residential lots.
- (43) Public Road – Roads, avenues, boulevards, highways, freeways, lanes, courts, thoroughfares, collectors, minor roads, cul-de-sacs and other ways including the entire right-of-way considered public and both dedicated to and accepted by the State of South Carolina or Oconee County.
- (A) Arterial Road – A major road with access control, channelized intersections, restricted parking, and that collects and distributes traffic to and from minor arterials and from collector streets.
- (B) Collector Road – A road that typically exceeds 800 ADT's and has the primary purpose of intersecting traffic from intersecting local road and handling movements to the nearest arterial road. A secondary function is to provide direct access to abutting properties. A road that connects local access roads to the highway systems major and high-speed arterial roads. The collector road provides both land access service and traffic service within residential subdivisions.
- (C) Local Road (major) – A road in which the road typical number of average daily traffic (ADT) ranges from 401 to 800 and contains two or more access points. The primary purpose is to provide access to abutting properties and receiving traffic from minor local roads.
- (D) Local Road (minor) – A road in which the typical number of average daily traffic (ADT) ranges from 0 to 400 and has the primary purpose of providing access to abutting properties. This road normally terminates in a cul-de-sac, loop or other turnaround, with no more than two access points.
- Note: Local roads are separate from other types because they generally carry significant volumes of foot and bicycle traffic and are used by children. Therefore, traffic volumes must remain relatively low in order to provide the necessary safety for residential neighborhoods.
- (44) Road Right-of-Way Width – An easement within which utility installation, utility maintenance, road way construction, and roadway maintenance shall occur according to the standards put forth in these regulations.

The following are the required road right-of-ways and minimum road widths allowable:

Arterial Roads:

Right-of-way 66 to 120 feet (as determined by the county engineer)  
 Road widths 28 feet (as determined by the county engineer)

Collector roads:

Right-of-way 66 feet  
 Road widths 24 feet

Major local and/or service roads:

Right-of-way 50 feet (with eight foot drainage easement)  
 Road widths 22 feet

Minor local and/or service roads:

Right-of-way 50 feet (with eight foot drainage easement)

Road widths 20 feet

The above widths are driving surface widths and exclude widths added by curb and gutter and/or asphalt valleys.

- (45) Sanitary Sewer – A constructed conduit connected with or as a sewer system for the carrying of liquids and solids other than storm waters to a sanitary treatment facility.
- (46) Setback Line – The line indicating the minimum distance permitted between the road right-of-way line and the building line.
- (47) Sketch Plan – See Plat (plan).
- (48) Storm Sewer – A constructed conduit connected with or as a storm sewer system for the carrying of storm waters to a water source.
- (49) Stream – A flow of water in a channel or bed, such as a brook, creek or river.
- (50) Street – See Public Road
- (51) Subdivider – Any person, firm, corporation, owner, agent, developer, or other legal entity who directly or indirectly attempts to subdivide land within the jurisdiction of this ordinance. See also “Developer”.
- (52) Subdivision – All divisions of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose (whether immediate or future) of sale, lease, or building development; including all division of land involving a new roadway or an alteration in an existing roadway. Also instances in which the further division, relocation of lot lines, or the rearrangement (including combinations of lots) of any lot or lots within a subdivision previously approved or recorded according to law. The alteration of any roadways or the establishment of any new roads within any subdivision previously approved or recorded according to law. A subdivision can include townhouses, condominium complexes, apartment complexes and multi-family housing.

The following exceptions are included within this definition only for the purpose of requiring that the local planning agency be informed and have a record of the subdivision:

- (A) The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of the County;
- (B) The division of land into parcels of five acres or more where no new street is involved and plats of these exceptions must be received as information by the County Planning Commission which shall indicate that fact on the plats; and
- (C) The combination or recombination of entire lots of record where no new street or change in existing streets is involved.



- (53) Terrain Classifications – Classification of terrain by grade ranges as follows:  
Level – Grade range of 0% to 8%  
Rolling – Grade range of 8.1 to 15%  
Hilly – Grade range of over 15%
- (54) Townhouse – A building or group of buildings containing a dwelling unit or units constructed in a series or group of attached units with property lines separating such units.
- (55) Traditional Septic Systems – A waste disposal system designed for the treatment and disposal of domestic sewage by means of an onsite septic tank and soil absorption system utilizing a traditional drain field. All such stems are subject to the review and approval of the South Carolina Department of Health and Environmental Control.
- (56) Transfer or Sale of Lots – Any means by which the ownership of a property changes hands: including, but not limited to, the purchase of trade of a property subject to a mortgage, the assumption of a mortgage debt by the property purchaser, and any exchange of possession of the property under a land sales contract or any other land trust device.
- (57) Utilities – Utilities shall consist of any and all utility services to a subdivision, including water, sewer, storm sewer, electricity, telephone, cable television, gas, and sanitary sewerage, whether such utilities are supplied by a private individual, private company, authority, or a governmental entity.
- (58) View Lane – The portion of a natural buffer utilized and maintained by the property owner to enhance observation of the lake and surrounding landscapes. Typically, the vegetation in the view lane is lower in height and/or smaller in diameter than that found in the rest of the buffer.
- (59) Watercourse – Any natural or artificial stream, river, creek, ditch, channel, canal, conduit, culvert, drain, waterway, gully, ravine, or wash in which water flows in a definite direction or course, either continuously or intermittently, and has a definite channel, bed, and banks and includes any area adjacent thereto subject to inundation by reason of overflow or floodwater.
- (60) Yard – A space on the same lot with a principal building open, unoccupied, and unobstructed by buildings or structures from ground to sky except where encroachments and accessory buildings and structures are expressly permitted.
- (A) Front Yard – A yard situated between the front building line and the front lot line extending the full width of the lot.
- (B) Rear Yard – A yard situated between the rear building line and the rear lot line extending the full width of the lot.
- (C) Side Yard – A yard between the side building line and a side lot line that extends from the front yard to the rear yard.

## **CHAPTER 6, ARTICLE 3**

## **REQUIREMENTS AND STANDARDS**

### ***Section 3.1 Unapproved Plat Prohibition***

No plat of the subdivision of any land within the unincorporated areas of Oconee County as now or hereafter established, and any incorporated municipality which contracts with the Oconee County Council for these regulations to be administered within such municipality, shall be filed with or recorded by the Oconee County Registry of Deeds until such plat shall have been submitted to and approved by the Oconee County Planning Commission, Planning Director, or designee according to the procedures set forth in the Ordinance. No road or other way or land shall be accepted or maintained, nor shall any water line, sewerage, road lighting or similar improvements extended or connected, nor shall any permit be issued by any department of the County for any or other improvements in any subdivision established hereafter which has not been approved by the Oconee County Planning Department and met such requirements as prescribed by Oconee County Council.

### ***Section 3.1 Survey Standards***

Plats shall be prepared and survey data entered thereon in accordance with the most recent adopted version of the "Minimum Standards Manual of the Practice of Surveying in South Carolina" established by the SC Board of Registration for Professional Engineers and Land Surveyors provided that all elevations information shall refer to Mean Sea Level Datum or other establish datum (a minimum of 2 assumed elevation bench mark). Accuracy of plats and attendant data shall be no less than that required in said manual for Class B Suburban Land Surveys.

### ***Section 3.2 Subdivision Name***

The proposed name of the subdivision shall not duplicate, or too closely approximate phonetically, the name of any other subdivision in the area covered by these regulations. The Planning Commission shall have final approval authority for the name of the subdivision.

### ***Section 3.3 Utilities***

When utilizing a road right-of-way, all utility lines shall be buried at a depth of at least thirty six (36) inches. Such lines shall be located a minimum of two feet, outside the portion of the road to be surfaced to prevent having to cut into the paved surface or reconstruct drainage structures to serve abutting properties. In order to prevent future road cuts, utility stub-outs shall be added to all utility lines extending beyond the roadway to each property line.

### ***Section 3.4 Road Signs***

Road name signs shall be installed at all intersections with a subdivision. All other signs shall be installed as required by and at the direction of the County Engineer or his/her designee. All signage will be in accordance with the Manual of Uniform Traffic Control. The developer shall be responsible for all cost of road signage for private drives, private roads, and proposed county roads (at a cost determined by resolution of County Council from time to time) prior to acceptance of road by Oconee County. Any person who shall willfully or maliciously damage, deface, remove or otherwise tamper with a sign erected by a subdivider or the county designating the name of any county road shall be guilty of a misdemeanor. In addition thereto, such person shall be liable to the county for the cost incurred by the county as a result of said criminal acts.

### ***Section 3.5 Family Transfers***

Subdivision of parcels that results from the conveyance of parcels deeded by parents to children, children to parent, sibling to sibling, grandparents to grandchildren or grandchild to grandparent, and does not involve the construction or extension of any road, bridge, or drainage structure to provide access to interior lots, and does not involve the creation of any new drainage easement, shall be received as information only and approved administratively by the Planning Director.

No consideration, other than a nominal monetary amount and love and affection, shall be paid to the Grantor of subdivisions resulting from family transfers as defined by this section of the ordinance.

### ***Section 3.6 Minor Subdivision (Reserved)***

### ***Section 3.7 Submission of Road Plans***

Road construction plans shall be included with the submission of all subdivision plans according to the requirements of The Oconee County Road Construction and Development Standards.

### ***Section 3.8 Development Review Committee (DRC)***

- (1) The Oconee County Development Review Committee is hereby established. The Committee shall consist of the Planning Director, County Engineer, and representatives of other county agencies as appointed by the County Administrator.

- (2) All plans for proposed major subdivisions shall be reviewed by the Development Review Committee for compliance with all adopted Ordinances and Codes of Oconee County.
- (3) If the Committee determines that a proposed development will increase the average daily traffic (ADT) on a public road owned or maintained by the County to the extent that said road will need to be upgraded in order to beneficially accommodate the increase of traffic in accordance with the criteria set forth in this Ordinance, the developer of the proposed land development shall be responsible for all costs (including right-of-way acquisition) necessary to upgrade said road. The Development Review Committee may also require additional right-of-way and additional road width for the construction of turn lanes and fire lanes for use by emergency vehicles as part of the approval process of the site improvement plan.
- (4) The Development Review Committee may establish and publish minimum requirements consistent with this ordinance for approval of site development plans.
- (5) All exempt and minor subdivisions may be approved administratively by the Planning Director.

## **CHAPTER 6, ARTICLE 4**

## **LOT IMPROVEMENTS**

### ***Section 4.1 Lot Arrangements***

All lots shall be arranged such that there will be no apparent difficulties in securing driveway encroachment permits or building permits for reasons of topography or other conditions and must have driveway access from an approved road. The developer shall be liable for all lots within proposed subdivision.

### ***Section 4.2 Lot Dimensions***

Except where circumstances such as topography, water courses, road alignment or existing site boundary configurations dictate otherwise, the following requirements shall be effective:

- (1) Dimensions of corner lots shall be large enough to allow for the erection of buildings observing the minimum yard setbacks from both streets, without encroaching into side and rear yard setbacks, established in the building line section of this chapter.
- (2) Depth and width of properties reserved or laid out for business, commercial, or industrial purposes shall be adequate to provide for off-street parking and loading facilities required for that type of development, without encroaching into yard setbacks.



### ***Section 4.3 Lot size***

Minimum lot size shall be .57 acres (approximately 25,000 square feet) with traditional onsite septic tanks served by public water, unless DHEC requires greater area or dimensions. Calculated area shall not include right-of-ways or specified easements.

### ***Section 4.4 Building Lines***

Single family residential building setback lines shall be: Front Yard twenty five (25) feet from the closest edge of the right-of-way on lots abutting local roads and forty (40) feet from the right of way on lots abutting collector roads. Side Yard setback of ten (10) feet from each property line or right-of-way and Rear Yards setback of twenty five (25) feet from the rear property line or right-of-way except for those abutting collector roads, which shall have a setback of forty (40) feet.

### ***Section 4.5 Double Frontage Lots and Access to Lots***

- (1) Every lot shall have at least twenty five (25) feet of frontage on a public or private road.
- (2) Double Frontage and reversed frontage lots shall be avoided except where necessary to provide separation of residential traffic from traffic arterials or to overcome specific disadvantages of topography and orientation.
- (3) Lots shall not in general derive access exclusively from arterial and collector roads. Where possible, driveways should be designed and arranged so as to avoid requiring vehicles to back into traffic on arterial and collector roads.

### ***Section 4.6 Usable Area***

All lots adjacent to flood plains, creeks, and wetlands should use these natural features as lot boundaries when possible. Lots containing areas unsuitable for usage shall not use these areas in calculating minimum lot area.

### ***Section 4.7 Septic System Setback***

- (1) Traditional septic systems shall be constructed so that the extreme extent of the proposed leaching area's outside edge shall be no closer than one hundred (100) linear feet from any existing or proposed well; seventy-five (75) linear feet from the ordinary high water (within the banks) elevation of any impounded or natural body of water, to include lakes, ponds, rivers and streams; five (5) linear feet from all lot lines; and ten (10) linear feet from any proposed or existing structure. In the case of a mound septic system, the toe of the mound shall be considered to be the edge of the leaching area.

- (2) The applicant shall provide the Planning Director a copy of all South Carolina Department of Health and Environmental Control (DHEC) permit drawings and an approved DHEC permit application for the proposed septic systems utilized within the development.
- (3) The developer must demonstrate to the Planning Director that the proposed development will not adversely affect the present water table and the existing water supplies; and also demonstrate that the proposed water supply system will not be adversely affected by existing septic systems.

#### ***Section 4.8 Lot Drainage***

Lots shall be laid out so as to provide positive drainage away from all buildings, and individual lot drainage shall be coordinated with the general storm drainage pattern for the area. Drainage shall be designed so as to prevent concentration of storm water from each lot to any adjacent property. Drainage systems used to control water on one property shall not increase the water flow on adjacent properties without legal easements.

#### ***Section 4.9 Lakes and Streams***

If a tract being subdivided contains a water body, or portion thereof, the ownership of and the responsibility for safe and environmentally compliant maintenance of the water body is to be placed so that it will not become a local government responsibility. The minimum area of a lot required under this ordinance may not be satisfied by land that is under water. Where a watercourse other than storm drainage separates the lot's buildable area from the road providing access, an engineer's certified structure shall be provided linking the buildable area to the road. All watercourses shall remain free of obstructions and degradations.

#### ***Section 4.10 Easements***

Easements having a minimum width of (10) feet and located along the side or rear lot lines shall be provided as required for utilities and drainage.

#### ***Section 4.11 Entrances***

One entrance is required for every one-hundred (100) lots in a proposed subdivision, or a maximum of one-hundred (100) lots on a dead end road with a cul-de-sac. This requirement may be waived by the Planning Director due to topography and feasibility. Every effort shall be made to not have an entrance directly onto an arterial road.

## ***Section 4.12 Vegetative Buffers***

The approval of subdivisions, site plans and/or building permits for construction of new residential units or commercial projects to be located within one thousand (1000) feet of Lakes Keowee, Hartwell, and Jocassee shall be contingent upon the establishment of a natural vegetative buffer of a width of less than twenty-five (25) feet, with a view lane width of no more than 15% of the total length of a natural vegetative buffer. The buffer shall meet the following standards:

- (1) To reduce non-point source pollution, a natural buffer of twenty-five (25) feet shall be maintained with no grasses or ornamental vegetation established within that buffer. To reduce non-point pollution a vegetative buffer of twenty-five (25) feet measured horizontally from the full pond elevation shall be maintained with no manicured lawns or other managed grasses established within that buffer. A diverse mix of native plants and unmanaged (mow below twelve (12) inches and untreated) native grasses are preferred vegetation where available and suited to the site. Additionally, no clear cutting or mowing, cultivation activities, fertilization, use of herbicides, fungicides, or pesticides shall occur within the twenty-five (25) foot buffer area. Right-of-way maintenance activities by utilities shall be exempt.
- (2) No trees larger than six-inch caliper at four feet from the ground shall be removed unless certified to be a hazard by a registered forester or arborist.
- (3) Trees may be limbed up to 50 percent of their height.

This regulation shall exempt projects that are located on parcels lying no closer than twenty-five (25) feet from a lake shoreline or are located on parcels that are not traversed, either in full or in part, by a perennial stream, designed wetland, or other water course within one thousand (1000) feet of Lakes Keowee, Hartwell, and Jocassee. The buffer shall begin at the lake's full pond level.

## **CHAPTER 6, ARTICLE 5 BLOCKS**

### ***Section 5.1 Residential Block Length***

In order that there may be convenient access between various parts of a subdivision and in order to help prevent traffic congestion and undue inconvenience, the length of blocks hereafter established should not exceed eighteen hundred (1,800) feet and shall not be less than six hundred (600) feet; provided, however, that such length may be modified when appropriate due to the topography or physical shape of the property being subdivided.

**Section 5.2      *Residential Block Width***

Blocks shall have sufficient width to allow two (2) tiers of lots. Blocks may be one lot in depth at the boundary of the subdivision, or where single-tier lots are required to separate residential development from through vehicular traffic or nonresidential uses.

**CHAPTER 6, ARTICLE 6**

**DRAINAGE AND  
STORM WATER**

**Section 6.1      *General Requirements***

In most cases the land disturbance permit required by DHEC will have considered the information needed for compliance with this section. However, Oconee County will review the information to ensure that all storm water runoff will be removed from proposed developments in perpetually maintained drainage systems designed to avoid damage to personal property. The Planning Director shall not approve any plat of subdivision which fails to make adequate provision for storm or flood water runoff channels or basins. Storm water drainage systems shall be separate and independent of any sanitary sewer system. Inlets shall be provided so that surface water is not carried across or around any road intersection except where routing around of small volumes is approved in writing by the County Engineer.

**Section 6.2      *Nature of Storm Water Facilities***

The applicant may be required by the Planning Department or County Engineer to carry away by pipe or open ditch any spring or surface water that may exist either previously to, or as a result of the subdivision. Such drainage facilities shall be located in the road right-of-way where feasible, or in perpetual unobstructed easements of appropriate width, and shall be constructed in accordance with accepted engineering standards and specifications as approved by the County Engineer. All swales, ditches, or other open drainage shall be constructed and established to minimize erosion as approved by the County Engineer.

**Section 6.3      *Accommodation of Upstream Drainage Areas***

The owner's engineer shall determine, certify, and design drainage facilities that are large enough to accommodate potential runoff from its entire upstream drainage area, whether inside or outside the subdivision.



#### ***Section 6.4 Effect on Downstream Drainage Areas***

The Owner's Engineer shall study and provide the Planning Director and County Engineer with sufficient data proving that there are no adverse impacts on existing downstream drainage facilities outside the area of the subdivision. Where it is determined that the additional runoff incident to the development of the subdivision will overload an existing downstream drainage facility, the Planning Director may withhold approval of the subdivision until provision has been made for the improvement of said potential condition.

#### ***Section 6.5 Floodplain Areas***

Floodplain areas shall be noted on all plans and plats for proposed development, and shall be preserved from any and all destruction or damage resulting from clearing, grading or dumping of earth, waste material, or stumps, unless explicitly permitted by DHEC, or other appropriate state agency. All construction activity within development shall comply with standards of Oconee County Flood Plain Ordinance.

- (1) Where a subdivision is traversed by a watercourse, drainageway, channel, or stream, there shall be provided a storm water easement of drainage right-of-way conforming substantially to the lines of such watercourse, and of such width and construction or both as will be adequate for the purpose and to accommodate maintenance equipment and activities. Wherever possible, it is desirable that the drainage be maintained by an open channel with landscaped banks and adequate width for maximum potential volume of flow. The Planning Department will review the information required by the DHEC land disturbance permit to ensure the intentions of 6.12 are met.
- (2) Where topography or other conditions are such as to make impractical the inclusion of drainage facilities within road right-of-way, perpetual unobstructed easements at least twenty (20) feet in width for such drainage facilities shall be provided across property outside the road lines and with satisfactory access to the road. Easements shall be indicated on all plats. Drainage easements shall be carried from the road to a natural watercourse or to other approved or adequate drainage facilities.
- (3) When a proposed drainage system will increase the maximum flow of water across private land outside the subdivision, appropriate drainage rights must be secured and indicated on the plat.
- (4) Low-lying lands along watercourses subject to flooding or overflowing during storm periods, included in areas for dedication, shall be preserved and retained in their natural state as drainage ways except where improvements such as grassing, walkway, and playground areas are specifically approved by the Planning Director.
- (5) All rights-of-way shall contain a permanent drainage easement for all water runoff from the road right-of-way as deemed necessary by the County Engineer. It shall be the responsibility of the owner/developer to acquire any necessary drainage easements from private landowners.

## CHAPTER 6, ARTICLE 7

## WATER FACILITIES

### *Section 7.1 General Requirements*

- (1) Where a public water main is within one thousand (1000) feet of a subdivision boundary, the developer shall connect thereto and install adequate central water facilities. Where the accessible public water main is six (6) inches or greater in diameter, distribution lines shall be at least six (6) inches in diameter. In the event that the water supplier certifies the existence of insufficient water pressure to provide service to six (6) inch distribution lines to the site, the Planning Director shall permit appropriate reductions in the diameter of distribution lines. In cases along permanent cul-de-sacs or circles less than one thousand (1000) feet in length, a minimum diameter of two and one-half (2½) inches is permitted.
- (2) Water distribution systems shall be approved by the designated utility entity and the appropriate division of DHEC.
- (3) The location and design of all water system improvements shall be shown on the preliminary plat, and the cost of installing same shall be included in any bond to be furnished by the developer.
- (4) All utility lines shall be located a minimum of two (2) feet outside of road surface areas at the edge of the rights-of-way and shall be buried at a depth of at least thirty six (36) inches. When the sewer line is located in a road right-of-way and it will be necessary to cut into the road surface to serve the abutting lots, a connection shall be stubbed out to the property line to serve each lot prior to surfacing the road.

### *Section 7.2 Individual Wells and Central Water Systems*

If a public water system is not available, wells may be used or a package central water system provided in such a manner that an adequate supply of potable water will be available to every lot in the subdivision. Central water systems shall be approved by the appropriate division of DHEC. Orders of approval shall be submitted to the Planning Department.

### *Section 7.3 Fire Hydrants*

Fire hydrants shall be required for all subdivisions except where individual wells are used or a water main of less than six (6) inch diameter is permitted, and shall be located as defined in the adopted fire code and shall be approved by the applicable fire protection entity. In the event no adequate water supply is available, alternative methods of fire protection may be approved by appropriate fire officials, provided such measures are provided for under adopted fire code. To avoid future road cutting, all underground utilities for fire hydrants, together with the fire hydrants themselves and all other supply improvements shall be installed and approved before any final paving of a road shown on the subdivision plat.

**Section 7.4**      **Wastewater Facilities**

- (1) Where a public sanitary sewerage system is reasonably accessible and available, the applicant shall connect with same and provide sewers accessible to each lot in the subdivision. When the sewer line is located in a road right-of-way and it will be necessary to cut into the road surface to serve the abutting lots, a connection shall be stubbed out to the property line to serve each lot prior to surfacing the road.
- (2) Sanitary sewer shall be designed and installed to the design standards and specifications of the city, county, or public service district into whose sewer system the subdivision is connecting and all design standards and specifications of the appropriate DHEC division.
- (3) Where public sanitary sewerage systems are not reasonably accessible or available, package, central or individual waste collection/treatment systems may be provided. These systems must be approved by the appropriate division of DHEC prior to approval of any preliminary subdivision plan.

**CHAPTER 6, ARTICLE 8**

**NONRESIDENTIAL  
SUBDIVISIONS**

**Section 8.1**      **General**

If a proposed subdivision includes land that is proposed for commercial, industrial or other nonresidential purposes the layout of the subdivision, shall incorporate such provisions and facilities as the Development Review Committee Planning Commission may require based on case by case consideration of nature, type, and mix of anticipated development.

**Section 8.2**      **Standards**

In addition to the principles and standards in these regulations, which are appropriate to the planning of all subdivisions, the applicant shall demonstrate to the satisfaction of the Commission that the road, parcel, and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. The following principles and standards shall be observed:

- (1) Proposed nonresidential parcels shall be suitable in area and dimensions to the types of industrial/commercial development anticipated.
- (2) Road rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated.
- (3) Special requirements may be imposed by the county with respect to road, curb, gutter, and sidewalk design and construction.

- (4) Every effort shall be made to protect adjacent residential areas from potential nuisances from a proposed commercial or industrial subdivision, including the provision of extra depth in parcels backing up on existing or potential residential development and provisions for a permanently landscaped buffer strip when necessary.
- (5) Roads carrying nonresidential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas.

## **CHAPTER 6, ARTICLE 9      SECURITY IN LIEU OF COMPLETION OF IMPROVEMENT**

In lieu of the completion of the physical development and installation of the required improvements prior to the final plat approval, Oconee County may accept a financial guarantee in the form of cash, bond, or escrow letter of credit with an approved financial institution, in an amount and with conditions satisfactory to it, securing to the County the actual construction and installation of such improvements and utilities within a period specified by the County Engineer.

- (1) If the subdivider wishes to have a final plat approved prior to the installation, inspection and approval of all required improvements he may file a performance of surety bond executed by a surety company licensed to do business in the State of South Carolina, in an amount equal to one hundred twenty five percent (125%) of the owner's engineer (and verified by the County Engineer) estimated cost to complete the improvements. The bond shall guarantee the completion of all improvements within a time prescribed by the Planning Director.
- (2) If the subdivider wishes to have a final plat approved prior to the installation, inspection and approval of all required improvements, he may establish an escrow account with the County into which the subdivider shall place, prior to the sale of any lot in the subdivision, an amount equal to one hundred twenty five percent (125%) of the owner's engineer (verified by the County Engineer) estimated cost to complete the improvements. Fund in such escrow account shall be returned to the subdivider shall complete all improvements within time limits prescribed by the County Engineer. The final determination for returning the escrowed money to the developer rests with the County Engineer.
- (3) In the event that required improvements are not completed, inspected and approved within the required time, the County may expend escrowed funds, securities, or performance bond funds to complete the required improvements. The Planning Director may also at his discretion withhold building permits or occupancy permits in such subdivision until such improvements are completed. In which case, it shall then be unlawful to sell any further lots in the subdivision until all improvements are completed. No occupancy permits shall be issued within the subdivision, unless street improvements are at least adequate for vehicular access by the prospective occupant(s) and by the emergency vehicles and personnel.



- (4) No building permit shall be issued for the final ten percent (10%) of lots in a subdivision, or if ten percent (10%) be less than two (2), for the final two (2) lots of a subdivision, until all public improvements required by the County Engineer for the subdivision have been fully completed and the County has accepted the developer must submit all as-built drawings at this time.
- (5) The developer shall be required to maintain all required public improvements on the individual subdivided lots, if required by the Planning Director, until acceptance of the improvements by the appropriate utility or government entity. If there are any certificated of occupancy on a street not dedicated to the County, the County may on twelve (12) hours notice effect emergency repairs and charge those costs to the developer. Following the acceptance of a road by the County Council, the Council may in its sole discretion require the subdivider to maintain the improvement for a period of three (3) years from the date of the acceptance.
- (6) Surety bonds will be returned to the developer following delivery of all as-built drawings to the County Engineer, and after acceptance of all improvements by the County.

## **CHAPTER 6, ARTICLE 10      PLAT REQUIREMENTS AND REVIEW PROCEDURES**

### ***Section 10.1      General***

No lot proposed to be created through the creation of a subdivision shall be sold or advertised for sale until a final plat showing the subdivision has been approved by the Planning Director, and has been recorded with the Oconee County Register of Deeds.

### ***Section 10.2      Application Review***

The Planning Director may approve a minor or exempt subdivision, containing no new roads, after reviewing the final plan.

### ***Section 10.3      Plat Recordation***

The Planning Director's approval of a subdivision final plan is contingent on submission of four (4) original copies of the plat to the Oconee County Register of Deeds, and recordation of the plat by the Register of Deeds. An authorized copy of the recorded plat shall be submitted to the Planning Director.

#### ***Section 10.4 Appeal of Decision***

Any person aggrieved by the Planning Director's decision to approve or deny an application for subdivision approval may appeal the decision to the Planning Commission in writing within ten (10) working days of said decision as outlined in chapter one (1) of this ordinance.

### **CHAPTER 6, ARTICLE 11 SKETCH PLAN**

#### ***Section 11.1 Sketch Plan Review Conference***

All persons intending to subdivide or develop property are strongly encouraged to confer with the Planning Director prior to proceeding. Proposed developments consisting of twenty (20) new housing units shall schedule a sketch plan review prior to any formal application.

#### ***Section 11.2 Basic Sketch Plan (Optional Requirements for Developments less than twenty (20) units.)***

- (1) The Sketch Plan shall be drawn to show the approximate layout of the proposed subdivision and its relationship to the surrounding area.
- (2) Sketch Plans are informal, exploratory examinations of a proposed idea. The Planning Director will review the proposed layout and discuss any issues with the subdivider and may require a detailed sketch plan to be submitted.

#### ***Section 11.3 Detailed Sketch Plan (Required for 20 or more lots)***

- (1) The Sketch Plan shall be drawn at an approximate scale of not less than a scale of two hundred (200) feet to one inch and shall include a Vicinity Map at a scale of not less than two (2) miles to one (1) inch showing the relationship of the proposed subdivision to the surrounding areas.
- (2) All Sketch Plan Submittals shall include the following in sketch or narrative form:
  - (A) An accounting of total acreage in the tract to be divided and number of lots proposed;
  - (B) Arrangement, shape, dimensions, and area of proposed lots;
  - (C) Location of existing property lines, easements, road right-of-ways, buildings, or other public ways adjoining the tract to be subdivided;
  - (D) Alignment, right-of-way width, and clarification of proposed roads;

- (E) Topography by contour at intervals of not more than twenty feet (as from USGS quad sheets);
  - (F) Map scale, north arrow, and date;
  - (G) Name/address/telephone number of legal owner or agent and the professional (surveyor or engineer) who will undertake detailed subdivision layout and improvements design;
  - (H) Location of water courses and land subject to flooding based on a one hundred (100) year frequency flood. Owner's surveyor shall indicate if property is or is not in a floodplain;
  - (I) The existing and proposed uses of land throughout the subdivision;
  - (J) Proposed method of water supply and wastewater treatment and other utility service;
  - (K) The proposed name of the subdivision.
- (3) A subdivider shall submit a Sketch Plan of the entire tract even if the subdivider's present plans call for the actual development of only a part of the property. All phases of the subdivision must be shown on the sketch plan and marked as future development.
- (4) Prior to sketch plan submittal, the subdivider is encouraged to interact with the County Soil and Water Conservation District to obtain soil survey information and written site evaluation comments to be included as part of the sketch plan submittal.

#### ***Section 11.4                      Sketch Plan Review***

- (1) A subdivider shall submit sketch plan copies and application forms in quantities specified by the Planning Director. The Planning Director shall obtain input from the County Engineer and affected agencies and shall provide comments in the form of a composite list to the subdivider within fifteen (15) working days of sketch plan submitted.
- (2) If the subdivider disagrees with comments provided, the subdivider may request an informal review by the Planning Commission in accordance with the Oconee County Planning Commission Rules of Procedure.
- (3) In reviewing a sketch plan and sketch plan comments, the Planning Commission may affirm such comments or modify them to the extent as such modifications do not depart from the provisions of these adopted regulations.

## **CHAPTER 6, ARTICLE 12      PRELIMINARY PLAN AND SUPPORTING DATA**

### ***Section 12.1      Submittal Requirements***

- (1) A person seeking preliminary approval of a subdivision shall submit an application to Planning Director for review.
- (2) The applicant shall also submit all appropriate fees at the time of application.
- (3) Applicants shall submit four (4) copies of the preliminary plan.
- (4) The applicant shall submit all responses, amended plans, additional information, or any other necessary materials to satisfy all adopted Oconee County regulations.
- (5) An applicant may withdraw an application for subdivision approval at any time by submitting written notice of the withdrawal to the Planning Director.
- (6) It shall be unlawful for construction to commence prior to preliminary approval of the plan as defined in this ordinance.
- (7) Preliminary approval typically permits a developer to proceed with the construction of all roads, utilities, and public infrastructure.
- (8) Where individual septic waste disposal is proposed, a preliminary letter of approval from the appropriate division of DHEC.
- (9) Lots may not be sold from a preliminarily approved plat.

### ***Section 12.2      Preliminary Plan Requirements***

#### **General**

- (1) The preliminary plan shall be drawn at a scale of two hundred (200) feet to one (1) inch or greater, and shall include a vicinity sketch at a scale of not less than one (1) inch = two (2) miles. Sheet sizes should be 8.5" x 11", 8.5" x 14", 11" x 17", 18" x 24", or 24" x 36". This map and supporting data shall be prepared according to standards set forth in this ordinance and shall contain the following sections: General, Existing Conditions, Proposed Conditions.
- (2) The proposed name of the subdivision, name/address/telephone of owner and/or subdivider, and name/address/telephone of surveyor and/or engineer.
- (3) A graphic scale, north arrow and date (north arrow shall be identified as magnetic, true, or grid).
- (4) The acreage to be subdivided.
- (5) The boundaries of the tract to be subdivided with all bearings and distances indicated.
- (6) A SC DHEC approved Storm Water Pollution Prevention Plan (SWPPP).



## Existing Conditions

- (1) Deed record names of adjoining property owners or subdivisions.
- (2) Location of water courses and land subject to flooding based on a one hundred (100) year frequency flood. Owner's surveyor shall indicate if property is or is not located in a floodplain.
- (3) Location of adjoining property lines and existing building on the property to be subdivided.
- (4) Location and right-of-way of roads, railroads, and utility lines either on or adjoining the property to be subdivided.
- (5) Size and location of existing sewers, water mains, drains, culverts, or other underground facilities within the site and adjoining the tract.
- (6) The acreage of each drainage area affecting the proposed subdivision.
- (7) Topography by contour at intervals of not more than twenty feet (as from USGS Quad maps).
- (8) Elevations shall refer to sea level or assumed elevation with a minimum of 2' bench mark near the site.
- (9) Location of city and county line, if applicable, and a statement identifying the location of the nearest central water and sewer lines and fire department and the distance from same to the tract being subdivided.

## Proposed Conditions

- (1) Total number of lots, total acreage, total length of new roads.
- (2) Layout of roads including all right-of-way, public crosswalks, road names or designations, grades, and cross sections.
- (3) Profile of proposed roads showing natural and finished grades.
- (4) Layout of all lots, including area, building setback lines, scaled dimensions of lots, lot and block numbers, utility easements with width and use.
- (5) Construction Plan of sanitary sewers (if applicable) with grade, pipe size, and location and permit to construct from DHEC and approval of the appropriate utility provider.
- (6) Storm sewers shall be sized to accommodate runoff based upon the 10-year design storm except road crossings shall be a minimum of 25-year design storm.
- (7) Construction Plan for water supply system (if applicable) with pipe size and location of hydrants and valves and permit to construct from DHEC and, where applicable, approval of the appropriate utility provider.
- (8) Designation of all land to be reserved or dedicated for public use.
- (9) Designation of proposed use of all lots.
- (10) Proposed major contour changes in areas where substantial cut and/or fill is to be done.

NOTE: Refer to survey requirements.

### **Section 12.3 Preliminary Review Procedure**

- (1) The Planning Director shall notify all appropriate review agencies for comments. These may include, but are not limited to the following:
  - (A) Appropriate division of DHEC
  - (B) Soil and Water Conservation Office
  - (C) Appropriate public service district or city as applicable
  - (D) County Public Works Department
  - (E) Appropriate fire protection entity
  - (F) County Engineer
  - (G) Oconee County Sewer Commission
  - (H) Oconee County School District
- (2) Agencies and departments shall provide written comments to the Planning Director within fifteen (15) working days of the date of the preliminary plan application.
- (3) The Planning Director shall render a decision within twenty five (25) working days of the date of preliminary plan application. The Planning Director's action and reasons therefore shall be transmitted in writing to the subdivider.
- (4) Agencies and departments shall provide written comments to the Planning Director within fifteen (15) working days of the date of the preliminary plan application.
- (5) Once the submitted plans are deemed to be in compliance with all applicable Oconee County ordinances, the applicant shall be notified in writing that the plans have been preliminarily approved.
- (6) The Planning Director may grant conditional preliminary approval to insure compliance with all County Ordinances. All such conditions shall be met prior to final approval.
- (7) If a plan is approved subject to conditions, the subdivider shall submit plan exhibits amended to incorporate such conditions within twenty (20) working days of such approval. Preliminary plat approval shall be effective for one (1) year provided the Commission may extend same for up to one (1) additional year upon written request from the subdivider.
- (8) A subdivider, or other party materially affected by the Planning Director's decision, may appeal for review by the Planning Commission. Such appeal shall detail the reasons therefore, and be made in writing within ten (10) working days of the Planning Director's action. Affected parties shall be notified in writing of the Planning Commission's determination. The Planning Commission's decision may be appealed to the Circuit Court within thirty (30) days after the actual notice of the Commission's decision.
- (9) Variances shall be considered by the Planning Commission pursuant to Section 1.5.5(3) of the United Performance Standards Ordinance and conducted in a manner consistent with standards put forth in Oconee County Planning Commission Rules of Procedure.

**Section 13.1 Submittal Requirements**

- (1) A person seeking final approval of a subdivision shall submit an application to the Planning Director for review by this ordinance.
- (2) The applicant shall also submit all appropriate fees at the time of application.
- (3) Where the improvements required by this ordinance and the preliminary plan have not been completed prior to the submission of the Final Plan for approval, approval of the plan shall be subject to the owner filing a Performance Guarantee in the form of cash and/or surety with the Oconee County according to the provision set forth in this ordinance.
- (4) Upon 90% completion of the construction of road and utilities of a preliminarily approved subdivision, a final "as built" plan shall be submitted to the Planning Director noting any changes from the preliminarily approved plans.
- (5) The Planning Director's approval of a final plan is contingent on submission of four (4) original stamped copies of the plat to the Oconee County Register of Deeds.
- (6) A copy of the recorded plat authorized by the Register of Deeds shall be submitted to the Planning Director.
- (7) Where individual septic waste disposal is proposed, provide a letter of final subdivision approval from the appropriate division of DHEC identifying each lot for which individual waste disposal is approved.

**Section 13.2 Final Plan Requirements**

- (1) If the Final Plan is drawn in two or more sections, each section shall be accompanied by a key map showing the location of the several sections. Final plans shall be drawn at a scale of no less than one hundred (100) feet to one (1) inch; shall be drawn on sheets 8.5" x 11", 8.5" x 14", 11" x 17", 18" x 24", or 24" x 36"; shall be prepared according to the standards set forth in this ordinance.
- (2) Name of owner of record.
- (3) Name of subdivision and identification number assigned, date, north arrow, and graphic scale.
- (4) Name, registration number, and seal of registered surveyor.
- (5) Sufficient surveying data to determine readily and reproduce accurately on the ground the location, bearing, and length of every road line, lot line, easement, boundary line, and building line whether curved or straight. Curve boundaries will be defined by curve data to include the radius, delta angle, total area, length and the long chord by bearing and distance and shall also be defined as a traverse of chords around the curve using bearings and distance.
- (6) Names of owners of record of all adjoining land, all property boundaries, water courses, roads, easements, utilities and other such improvements, which cross or form a boundary line of the tract being subdivided.
- (7) Exact boundaries of the tract of land being subdivided as noted in the survey article of this Ordinance.

- (8) Roads, rights-of-way, percent of grades and road names. Steel or iron rods at least twenty inches long and one half inch in diameter shall be placed at all lot corners and at all other survey points not marked by permanent monuments. Property lines extending to road centerlines shall be marked by an iron stake on all offset with location clearly shown on the plat and selected so corners lie on a line of survey or a prolongation of such lines;
- (9) Rights-of-way or easement; location, widths, and purposes;
- (10) Lot lines, minimum building setback lines, and lot and block indicators;
- (11) Any parks, school sites, or other public spaces;
- (12) All dimensions shall be to the nearest one hundredth (1/100) of a foot and angles to the nearest twenty (20) seconds;
- (13) Accurate description of the location of all monuments and markers;
- (14) Utility easements, showing the widths of the following: (1) water, (2) gas; (3) sanitary sewer, (4) storm drainage, and (5) electrical line;
- (15) Where individual septic waste disposal is proposed, a letter of final subdivision approval from the appropriate division of DHEC identifying each lot for which individual waste disposal is approved. Areas or lots not so approved shall not be included on the final plat unless restricted to prohibit construction of building space thereon by such notation as "reserved exclusively for open space", etc.

**Section 13.4 Final Plat Certificates**

The following certificates shall appear on the Final Plat which is submitted to the Planning Commission by the subdivider:

**Certificate of Accuracy (signed when submitted)**

I hereby certify that the plan shown and described hereon is a true and correct survey to the accuracy required by the Oconee County Land Development and Subdivision Regulations and the monuments shown have been placed to the specifications set forth in said regulations.

\_\_\_\_\_ 20\_\_

Registration No. \_\_\_\_\_  
Registered Land Surveyor



**Certificate of Ownership and Dedication (signed when submitted)**

It is hereby certified that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby dedicate all roads, alleys, walks, parks, and other sites to public or private use as noted.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Owner

**Certificate of Maintenance for Private Roads (when applicable)**

The road right-of-way shown on this plat shall be private drives not owned, maintained, or supervised by Oconee County, and were not constructed pursuant to any plan for future acceptance by Oconee County. Road right-of-ways shown upon the plat shall not be accepted for maintenance by Oconee County at any time in the future unless constructed in accordance with all adopted Oconee County regulations. Maintenance of the right-of-way shall be the responsibility of

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Owner / Developer

**Certificates of Construction (one or both as applicable/signed when submitted)**

I hereby certify that the roads and drainage system, in \_\_\_\_\_ Subdivision as shown on Plat dated \_\_\_\_\_, prepared by \_\_\_\_\_ have been installed substantially in accordance with the Preliminary Plan (Construction Drawings) approved \_\_\_\_\_.

SEAL

\_\_\_\_\_  
Registered Engineer or Surveyor

I hereby certify that central ( ) water ( ) sewer systems in \_\_\_\_\_ Subdivision as shown on Plat dated \_\_\_\_\_, prepared by \_\_\_\_\_, have been installed in accordance with Preliminary Plat (Constructed drawings) approved \_\_\_\_\_.

SEAL

\_\_\_\_\_  
Registered Engineer or Surveyor

**Certificate of Approval (to be signed upon approval)**

The subdivision plat hereon has been found to comply with the Oconee County Land Development Regulations and has been approved for recording. I certify that this plat creates a subdivision subject to and approved in accordance with the ordinances of Oconee County.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Planning Director

### **Section 13.5 Final Plan Review Procedure**

- (1) Final approval of the submitted plans shall be granted to the applicant after a review by the Planning Director.
- (2) Final plan application shall include all of or phases of a subdivision for which preliminary approval was granted, and shall contain documentation that all required improvements have been installed and certified.
- (3) Final plan applications may be considered, at the discretion of the Planning Director, if accompanied by the required security in lieu of completion of improvement.
- (4) Upon a determination that the final plan application is completed, the Planning Director shall render a written approval or rejection. Said decision shall be made within thirty (30) working days of application submittal.

A subdivider or any party materially affected by the Planning Director's decision may appeal to the Planning Commission in writing within ten (10) working days of said decision. The Commission shall schedule a hearing, conduct said hearing, and render a decision within sixty (60) days of the date of appeal. The decision of the Commission is final. The decision of the Commission may be appealed to the Circuit Court within thirty (30) days after the actual notice of the Commission's decision.

## **CHAPTER 6, ARTICLE 14**

## **APPEAL OF DECISION**

Any person aggrieved by the Planning Director's decision to approve or deny an application for minor subdivision record plat approval may appeal the decision to the Planning Commission in writing within ten (10) working days of said decision as outlined in chapter one (1) of this ordinance.

## **CHAPTER 6, ARTICLE 15**

## **VIOLATIONS AND PENALTIES**

- (1) Any violation of these regulations shall be a misdemeanor and, upon conviction, is punishable as provided by law.
- (2) Unapproved subdivision and subsequent transfer or sale of lots - Any such agreement, negotiated before such plat has been approved by the Oconee County Planning Commission and recorded by the Oconee County Register of Deeds, shall be considered a violation of this Ordinance and punishable as provided herein. The description of metes and bounds in the instrument of transfer or other documents used in the process of selling or transfer shall not exempt the transaction from these penalties. Oconee County may enjoin such transfer or sale or agreement by appropriate action.

## CHAPTER 6, ARTICLE 16

## LEGAL PROVISIONS

The regulations expressed in this document shall be considered as the minimum provisions for the protection of the health, safety, economy, good order, appearance, convenience, and welfare of the general public.

### ***Section 16.1 Conflict with Other Laws, Ordinances, or Regulations***

Whenever the requirements made under authority of these regulations impose higher standards than are required in any statute or local ordinance or regulation, provisions of these regulations shall govern. Whenever the provisions of any other statute or local ordinance or regulation impose higher standards than are required by these regulations, the provisions of such statute or local ordinance or regulations shall apply.

### ***Section 16.2 Severability***

Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such declaration shall not affect the ordinance as a whole, or any other part thereof, other than the part so declared to be unconstitutional or invalid.

### ***Section 16.3 Repeal of Conflicting Ordinances***

All ordinances or parts of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

### ***Section 16.4 Amendments***

The Planning Commission shall hold a public hearing on any proposed amendment to these regulations; notice of time and place shall be given at least thirty (30) days prior to the hearing date. The notice shall be placed in a newspaper of general circulation. Amendments may be adopted by vote of the Oconee County Council.

OCCONEE COUNTY, SOUTH CAROLINA

ATTEST:

\_\_\_\_\_  
George Blanchard  
Chairman, Oconee County Council

\_\_\_\_\_  
Elizabeth G. Hulse  
Clerk to County Council

First Reading:  
Second Reading:  
Public Hearing:  
Third Reading:



STATE OF SOUTH CAROLINA )  
COUNTY OF OCONEE )

**INTERGOVERNMENTAL  
AGREEMENT**

THIS INTERGOVERNMENTAL AGREEMENT made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2008, by and between OCONEE COUNTY, South Carolina, hereinafter called "the COUNTY", and the OCONEE JOINT REGIONAL SEWER AUTHORITY, hereinafter called "the AUTHORITY", and is hereby contracted and agreed by and between the parties hereto as follows:

**ARTICLE I**

The governing body of each of these entities has found this Agreement to be in the best interest of the public and each has approved this Agreement and authorized its execution by the undersigned officers.

**NOW THEREFORE**, for and in consideration of the terms and conditions herein, the parties agree as follows:

**FACTUAL BACKGROUND**

**Section 1.01**

(1) The County is a body corporate and politic which is governed by a County Council and which, by virtue of Section 16 of Article VIII of the Constitution of the State Of South Carolina, as well as other enabling legislation, is fully empowered to enter into this Intergovernmental Agreement.

(2) The Authority is an Authority created pursuant to Chapter 25, Title 6, S.C. Code of Laws as amended by Act No. 59 South Carolina Acts and Joint Resolutions effective June 6, 2007, whose primary function is to transport and treat wastewater and to collect wastewater in accordance with the Intergovernmental Agreement entered into by the parties and the cities of Seneca, Westminster, and Walhalla on October 18, 2007.

(3) The County and the Authority understand and agree that Oconee County has no ownership interest in the authority or the assets of the Authority, and the County does not appoint any representatives to the governing board of the Authority. The County and the Authority agree that the Intergovernmental Agreement entered into by the parties and the Cities of Seneca, Westminster, and Walhalla on October 18, 2007, shall govern the conduct of the parties when the County contracts with the Authority or one of the above named Cities concerning the extension of sewer lines within the unincorporated areas of the County. The parties acknowledge and understand that the Authority currently owns and operates sewer lines within the unincorporated areas of Oconee County and that said lines benefit all citizens of Oconee County by providing necessary infrastructures for economic development. The parties further acknowledge and understand that upgrades and expansions in the current system is vital to the growth of Oconee County in terms of economic development and expansion of the tax base.

(4) In order to assist the Authority and expand the sewer system in the unincorporated areas of Oconee County, the County agrees to pay to the Authority the sum of six hundred ten thousand (\$610,000) dollars annually through the year 2038. The Authority agrees that these funds will only be used for capital upgrades and expansion of the wastewater treatment facilities and sewer conveyance systems owned and operated by the Authority. See attached Infrastructure Project List.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_

**OCONEE COUNTY, a body politic**

\_\_\_\_\_

By: \_\_\_\_\_

\_\_\_\_\_

**CITY OF SENECA**

\_\_\_\_\_

BY: \_\_\_\_\_

\_\_\_\_\_

**CITY OF WALHALLA**

\_\_\_\_\_

BY: \_\_\_\_\_

\_\_\_\_\_

**CITY OF WESTMINSTER**

\_\_\_\_\_

BY: \_\_\_\_\_

\_\_\_\_\_

**OCONEE JOINT REGIONAL  
SEWER AUTHORITY**

\_\_\_\_\_

BY: \_\_\_\_\_



Oconee County Sewer Commission/  
Oconee Joint Regional Sewer Authority  
P.O. Box 399, Seneca, SC 29679 • Ph: (864) 972-3900 • Fax: (864) 972-3917

October 28, 2008

**SEWER INFRASTRUCTURE PROJECTS**  
**FOR ECONOMIC DEVELOPMENT IN OCONEE COUNTY**  
**OUTSIDE OF THE I-85 CORRIDOR**

Martins Creek Project  
Septage Receiving Project  
Richland Creek Project

Millbrook Pump Station  
Ravenal Pump Stations  
Carson Road Relief Sewer  
Scenic Heights – Highway 11  
Dunlop Area – Highway 123  
West Point Project  
Airport Area Sewer  
Bountyland Basin Sewer

This projects list is developed as a guide for removing development constraints of key unincorporated areas of Oconee County due to the lack of adequate public sewer.

The prioritization of these projects will be the responsibility of the Oconee Joint Regional Sewer Authority.

**SOURCES FOR PROJECTS LISTED**

- 1) OCSC Infrastructure Projects RFQ List, 2005
- 2) Oconee County Capital Projects Commission List, 2006
- 3) Comprehensive Economic Development Strategy List, 2008 (ACOG)
- 4) Scott Parris (City of Walhalla)
- 5) David Smith, (City of Westminster) Rhet Smith, (OJRSA), Bob Winchester (OJRSA)



**AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE:** November 18, 2008  
**COUNCIL MEETING TIME:** 6:00 PM

**ITEM TITLE OR DESCRIPTION:**

Request for Qualifications (RFQ) 08-10, Airport Engineering Consultant

Award RFQ 08-10 to Talbert and Bright, Inc. of Wilmington, NC for a period of one year with the option to renew for four additional one-year periods (See attached Contract).

Additionally, staff recommends that Council authorize the County Administrator to renew the contract for up to four one-year periods, provided their work is satisfactory.

**BACKGROUND OR HISTORY:**

During the Federal Aviation Administration (FAA) grant awarding process in May of 2008, the FAA reminded the Airport Director that Oconee County had been using the same engineering consulting firm for over 15 years. FAA's Airport Improvement Program (AIP) grant policy states airport sponsors should periodically (every 5 years) conduct an engineering consultant selection process to comply with FAA grant assurances. Mr. Nick Goodly of the Atlanta Airport District Office stated the County would have to conduct a Request for Qualifications (RFQ) for engineering consultant services and make a selection before the next AIP grant was awarded to Oconee County.

**BID SOLICITATION HISTORY:**

On October 30, 2008, formal sealed qualifications were opened for engineering consulting for the Airport. Nine companies were originally notified of this bid opportunity (See attached Bid Tab). One response was received from Talbert & Bright, Inc. of Wilmington, NC. Procurement's follow up with the non-responding companies revealed that most of the companies did not respond due to their involvement with other projects at this time.

After evaluation of the qualifications submitted, the RFQ Evaluation Committee unanimously voted to recommend award to Talbert and Bright, Inc.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

FAA will not award any further AIP grant monies until the consultant selection process is completed.

**STAFF RECOMMENDATION:**

Award RFQ 08-10 to Talbert and Bright, Inc. of Wilmington, NC for a period of one year with the option to renew for four additional one-year periods (See attached Contract).

Additionally, staff recommends that Council authorize the County Administrator to renew the contract for up to four one-year periods, provided their work is satisfactory.

**FINANCIAL IMPACT:**

When FAA grants are funded, a portion of these grants pay the cost for the necessary professional airport engineering consultant services. The grants are usually 95% Federal, 2.5% State and a 2.5% local match. However, it should be noted that due to the current State budget crisis, State funds may be unavailable in the near future. Oconee County should plan for the possibility of having to incur a 5% share of any FAA grant.

*Agenda Items Summary to be submitted to Administrator for review / approval no later than close of business on Wednesday prior to a Council meeting.*

**ATTACHMENTS**

1. Bid Tabulation
2. Contract

**Submitted or Prepared By:**

  
Department Head/Elected Official

**Approved for Submittal to Council:**

  
Dale Surratt, County Administrator

**Reviewed By: Initials:**

\_\_\_\_ County Attorney

\_\_\_\_ n/a Finance \_\_\_\_ n/a Grants

**C: Clerk to Council**

Approved Budget Ordinance amount for bid item 3/1/24  
Budget Code 016

I hereby certify that to the best of my knowledge  
this tabulation of bids to be correct

*Robyn Courtight*  
Procurement Director

Bidders	Talbert & Bright	Delta Airport Consultants	Froehling & Robertson, Inc.	Kimley-Horn Associates
Address	Wilmington NC	Richmond, VA	Greenville, SC	Charlotte, NC
Submitted Qualifications Acknowledged Addenda 1 & 2	yes	no	no	no
Bank	1			
Bidders	McKim & Creed	Pearson Engineering Inc.	The LPA Group	Wilbur Smith & Assoc.
Address	Greensboro, NC	Irmo, SC	Columbia, SC	Columbia, SC
Submitted Qualifications	no	no	no	no
Bidders	WK Dickson, Inc.			
Address	Columbia, SC			
Submitted Qualifications	no			

**AGREEMENT AND CONTRACT BETWEEN  
COUNTY OF OCONEE  
AND  
TALBERT & BRIGHT, INC.**

**SECTION I. GENERAL RECITALS**

This Agreement and Contract, made and entered into this 18th day of November 2008, by and between the County of Oconee, South Carolina, hereinafter referred to as the "County" and Talbert & Bright, Inc. a corporation qualified to do business in the State of South Carolina, with its principal offices in Wilmington, NC located at 4816 Shelby Drive, hereinafter referred to as "Consultant".

**WITNESSETH:**

WHEREAS, the County desires to employ the Consultant to furnish personnel and render professional services for use and benefit of the County for work to include, but not limited to, land acquisition, obstruction analysis/removal, runway, taxiway, and apron construction/improvements, airfield lighting/signage, NAVAIDS, hangars and terminal improvements, master planning, engineering studies, environmental analysis, and other related work at the Oconee County Regional Airport.

WHEREAS, the Consultant has represented to the County that the Consultant is experienced and qualified to provide the services contemplated by this Agreement and the County has relied upon such representation; and

WHEREAS, the Oconee County Council has authorized the County Administrator to enter into this Agreement for such services; and

WHEREAS, the sole authority to negotiate on behalf of Oconee County shall rest with the County Administrator or his/her authorized designee. Each individual project under the Airport Engineering Consultant contract shall be negotiated and authorized by the County prior to its commencement. Project start will occur upon Consultant's receipt of a Purchase Order.

NOW, THEREFORE, in consideration of these premises and of the mutual covenants herein set forth, it is agreed by and between the parties hereto as follows:

**SECTION II. SCOPE OF SERVICES REQUIRED OF CONSULTANT**

- A. **PROJECTS DESCRIPTIONS.** The Consultant on an "as-call" basis will provide various professional services as needed for work to include, but not limited to,

land acquisition; obstruction analysis/removal; runway, taxiway, and apron construction/improvements; air field lighting/signage; NAVAIDS; hangars and terminal improvements; master planning; engineering studies; environmental analysis; and other related work at the Oconee County Regional Airport.

- B. **GENERAL STATEMENT OF CONSULTANT'S ASSIGNMENT.** For the heretofore described projects, Consultant will provide professional services as described in "A" above. Work and liaison will be performed by the Consultant through its North Carolina office in Wilmington.

### **SECTION III. SERVICES OF THE COUNTY**

The County agrees to provide to Consultant, and at no cost to Consultant, the services and data set forth in ATTACHMENT "A", SERVICES OF THE COUNTY, attached hereto and specifically made a part of the Agreement. Liaison for the County will be through the Oconee County Administrator or his/her authorized designee.

### **SECTION IV. SCHEDULE (TIME OF PERFORMANCE)**

The effective date of this Agreement will be the date of execution as shown in Section I. The term of this contract shall be for a period of one (1) year from the effective date of the contract. The Procurement Office may extend the contract if it appears to be in the best interest of the County and is agreeable with the Consultant. Said extension will be on an annual basis and will not exceed four (4) additional one-year periods.

### **SECTION V. COMPENSATION**

The County will issue an individual Purchase Order for each project assigned to the Consultant. The Consultant shall begin work upon receipt of the County's purchase order. A specific calendar schedule will be established for each assignment. Consultant will prosecute all phases of the work in an expeditious manner, exclusive of required review time by the County.

The amount of compensation will be established on a project-by-project basis and shall represent the maximum payable by the County for each assignment, except upon prior written authorization from the County Procurement Office to increase the amount.

Compensation shall be based on a negotiated contract with the Consultant taking into account the estimated value of the services to be rendered, the scope, complexity, and professional nature thereof.

### **SECTION VI. PAYMENT SCHEDULE**

Consultant shall bill the County monthly for any active projects. Application for payment shall reflect work completed through the last day of the month. Monthly or partial payments will be subject to ten (10%) percent retainage, withheld until completion and acceptance of the individual project. Partial payments will be made as follows: Provided an application for payment is received no later than the 10<sup>th</sup> of the month, the County shall make payment not later than the 30<sup>th</sup> day of the same month.



## SECTION VII. GENERAL PROVISIONS

The County and the Consultant mutually agree as follows:

- A. **OWNERSHIP OF DOCUMENTS.** Basic notes, sketches, charts and other data prepared, furnished or obtained under this Agreement will become the property of the County without restriction or limitation on their use. No material produced in whole or in part under this Agreement will be subject to copyright in the United States or in any other country. The County shall have unrestricted authority to publish, disclose, distribute and otherwise use, in whole or in part, any reports, data, or other materials prepared under this Agreement. The County shall retain ownership of all plans, drawings, specifications and related documents.

Any reuse without written verification or adoption by the Consultant for the specific purpose intended will be at the County's sole risk and without liability or legal exposure to the Consultant, or to the Consultant's independent professional associates or consultants. The provisions of this Section shall survive the termination of this Agreement.

- B. **FINDINGS CONFIDENTIAL.** Any reports, information, data, etc. furnished to or prepared or assembled by the Consultant under this Agreement which the County requests to be kept as confidential will not be made available to any individual or organization by the Consultant without prior written approval by the County.

- C. **REQUIREMENTS FOR CHECKING AND REVIEWING OF PLANS.**

It is the Consultant's responsibility to produce plans that conform to all specifications, guidelines and requirements stated in this Agreement unless a specific deviation has been requested in writing and approved by the County. All plans, whether preliminary or final, submitted to the County, shall have been checked in their entirety for completeness, correctness, accuracy and consistency with other details in all respects, and shall have been thoroughly reviewed by the Consultant to be in compliance with these requirements prior to the submission to the County.

The spaces provided in the title box labeled "BY", "CHK'D" and "REVIEWED BY" shall be signed with the initials of the persons who performed those specific functions on that portion of the project at the time of submittal to the County. In the event that a print of a partially completed sheet is to be submitted, the initials may be added directly to the print rather than being entered on the original drawing.

Once plans have been submitted to the County, no changes shall be made unless the County has been notified of the specific change. However, additions to complete the plans may be made, provided the requirements for checking and reviewing are applied. All prints submitted to the County shall have the date of submittal stamped on the title sheet.

The County will perform a general review of the plans only. The County's review does not relieve the Consultant of any responsibility for the completeness, correctness, consistency and accuracy of all information, dimensions, quantities, details, designs and compliance with all specifications, guidelines and requirements of this Agreement. Should any discrepancies, errors or omissions be found at any time, after submittal of the plans, corrections to plans will be made at the Consultant's expense.

- D. **PROGRESS.** The Consultant shall at all times work closely with the designated representatives of the County and shall keep them fully advised as to the status of the work. The Consultant or his authorized representative will be present at all conferences, field inspections and other meetings as may be requested by the County which are within the scope of services outlined in the specific work order. Conferences or consultations may be called at any time by either party to the Agreement. The plans and work of the Consultant will be available to the County for review at all times.
- E. **CONTROL.** All work by the Consultant is to be done in a manner satisfactory to the County and in accordance with the established customs, practices, and procedures of the County and in conformity with the standards adopted by the Federal Aviation Administration, including FAA Orders, Advisory Circulars, and other FAA specifications referenced in 14 CFR. The decision of the County is to control in all questions regarding location, type of design, dimension of design and similar questions. Consultant shall signify its approval on all plans, specifications and estimates prepared and delivered under the terms of this contract.
- F. **INSPECTION OF WORK.** The County shall have access to and the right to inspect all project work and materials during regular business hours of the Consultant. The Consultant and its subcontractors shall keep and preserve all books, documents, papers, accounting records, and other evidence pertaining to costs incurred and make sure materials are available at its respective offices at reasonable times during the contract period and for three (3) years from date of final payment under the contract for inspection by the County, or any authorized representative of the County and copies thereof shall be furnished if requested.
- G. **CHANGES IN CONTRACT.** Should the County request an increase or decrease in the Scope of Work during the course of a project assignment, the Consultant's compensation shall be increased or decreased as determined by mutual agreement and only upon written authorization by the County Procurement Office.
- H. **DELAYS AND EXTENSIONS.** The Consultant agrees to prosecute the work continuously and diligently and no charges or claims for damages shall be made by Consultant for any delays or hindrance, from any cause whatsoever during the progress of any portion of the services specified in this Agreement. Such delays or hindrance, if any, may be compensated for by an extension of time for such reasonable period as the County may decide. Time extensions may be granted only for excusable delays such as delays beyond the control and without the fault or negligence of the Consultant.

- I. **TERMINATION OF CONTRACT.** The contract may be terminated by the County at any time for the convenience of the County by written notice to the Consultant specifying the termination date of the contract. In the event of such termination of the contract by the County, the Consultant will be compensated on a quantum meruit basis for its work satisfactorily performed through the termination date.

The Consultant likewise has the right to terminate this contract, if the County unreasonably fails to timely provide the service required of the County under scope of services or unreasonably fails to make timely payment for Consultant services rendered. In the event of such termination which is not the fault of the Consultant, the County shall pay to the Consultant the compensation properly due including reasonable overhead and profit on work performed for services properly performed (prior to the effective date of the termination) and for reasonable reimbursable expenses properly incurred prior to and as a result of the termination.

- J. **DISPUTES.** In any dispute concerning a question of fact in connection with the work of this Agreement, or compensation therefore, the decision of the Oconee County Administrator in the matter shall be final and conclusive for both parties.
- K. **INDEMNIFICATION.** The Consultant agrees, to the fullest extent permitted by law, to indemnify and hold the County harmless from any damages, liability or cost (including reasonable attorney's fees and costs of defense) to the extent caused by the Consultant's negligent acts, errors or omissions in the performance of professional services under this agreement and those of its subcontractors or anyone for whom the Consultant is legally liable.
- L. **GENERAL COMPLIANCE WITH LAWS.** The Consultant and its subcontractors shall at all times observe and comply with all County, Federal, State and local laws, ordinances and regulations affecting the conduct of the work.
- M. **SUBLETTING, ASSIGNMENT OR TRANSFER.** The Consultant shall not assign, sublet, or transfer any of the work, except as specifically provided for under the terms of this contract, without prior written consent of the County. Such consent does not release or relieve the Consultant, as principal, from any of its obligations and liabilities under this Agreement.
- N. **SUCCESSORS AND ASSIGNS.** The County and the Consultant each binds itself, its successors, and assigns to the other party with respect to these requirements, and also agrees that neither party shall assign, sublet, or transfer its respective interest in the Agreement without the written consent of the other.
- O. **OPINIONS OF COST AND SCHEDULE.** Since the Consultant has no control over the cost of labor, materials, equipment or services furnished by others, or over the resources provided by others to meet construction or other Project schedules, or over the methods of others in determining prices, or over competitive bidding or market conditions, the Consultant's opinions of probable costs (including probable Total Project Costs and Construction Cost) and of Project Schedules shall be made on the basis of the Consultant's experience and

qualifications and represent the Consultant's best judgment as an experienced and qualified professional engineer, familiar with the construction industry; but the Consultant cannot and does not guarantee that proposals, bids or actual Project Costs (including Total Project Costs or Construction Costs) submitted by Third Parties will not vary from opinions of probable cost prepared by the Consultant or that actual schedules of Third Parties will not vary from the projected schedules prepared by the Consultant.

**P. LIMITATION OF RESPONSIBILITY, JOB SITE SAFETY/TECHNIQUES.**  
The Consultant shall not have control over or charge of and shall not be responsible for construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with the Project or any Consultant, subcontractor, vendor or other Project participant not under contract to the Consultant (collectively the "Other Project Parties"). In addition, the Consultant shall not be responsible for: (1) the failure of any of the Other Project Parties to fulfill their respective contractual responsibilities and obligations to the County or to comply with federal, state or local laws, rules, regulations or codes; or (2) the schedules of any of the Other Project Parties or the failure of any of the Other Project Parties to carry out their work in accordance with their respective agreements. The Consultant shall not have control over or charge of and shall not be responsible for acts or omissions of the Other Project Parties, or their agents or employees, or of any other persons performing portions of the work on the Project.

**Q. INSURANCE.** The successful Consultant shall procure, maintain, and provide proof of insurance coverage for injuries to persons and/or property damage as may arise from, or in conjunction with, the work performed on behalf of the County by the Consultant, its agents, representatives, employees or subcontractors. Proof of coverage, as contained herein, shall be submitted fifteen (15) days prior to the commencement of work and such coverage shall be maintained by the Consultant for the duration of the contract period.

### 3. Commercial General Liability

Coverage shall be as broad as: Comprehensive General Liability endorsed to include Broad Form, Commercial General Liability Form including Products/Completed Operations.

#### Minimum Limits:

\$1,000,000 General Aggregate Limit  
\$1,000,000 Products & Completed Operations  
\$1,000,000 Personal & Advertising Injury  
\$1,000,000 Each Occurrence Limit  
\$50,000 Fire Damage Limit  
\$5,000 Medical Expense Limit

### 2. Business/Commercial Automobile Liability

Coverage sufficient to cover all vehicles owned, used, or hired by the Consultant, its agents, representatives, employees or subcontractors.

Minimum Limits:  
\$1,000,000 Combined Single Limit  
\$1,000,000 Each Occurrence Limit  
\$5,000 Medical Expense Limit

3. **Workers' Compensation**

Limits as required by the Workers' Compensation Act of SC, to include state's endorsement for businesses outside of SC. Employer's Liability, \$1,000,000.

4. **Professional Liability**

Minimum limits are \$1,000,000 per occurrence.

**Coverage Provisions**

- a. All deductibles or self-insured retention shall appear on the certificate(s).
- b. George County, its officers/officials, employees, agents and volunteers shall be added as "additional insured" as their interests may appear. This provision does not apply to Professional Liability or Workers' Compensation/Employer's Liability.
- c. The Consultant's insurance shall be primary over any applicable insurance or self-insurance maintained by the County.
- d. Shall provide 30 days written notice to the County before any cancellation, suspension, or void of coverage in whole or part, where such provision is reasonable.
- e. All coverage for subcontractors of the Consultant shall be subject to all of the requirements stated herein.
- f. All deductibles or self-insured retention shall appear on the certificate(s) and shall be subject to approval by the County. At the option of the County, either the insurer shall reduce or eliminate such deductible or self-insured retention, or the Consultant shall be required to procure a bond guaranteeing payment of losses and related claims expenses.
- g. Failure to comply with any reporting provisions of the policy(s) shall not affect coverage provided the County, its officers/officials, agents, employees and volunteers.
- h. The insurer shall agree to waive all rights of subrogation against the County, its officers/officials, agents, employees or volunteers for any act, omission or condition of premises which the parties may be held liable by reason of negligence.
- i. The Consultant shall furnish the County certificates of insurance including endorsements affecting coverage. The certificates are to be signed by a person authorized by the insurance company(s) to bind coverage on its behalf, if executed by a broker, notarized copy of authorization to bind, or certify coverage must be attached.
- j. All insurance shall be placed with insurers who are lawfully authorized to do business in the state of SC, and who maintain an A.M. Best rating of no



less than an A.VII. If A.M. Best rating is less than A.VII, approval must be received from the County's Risk Manager.

- R. The specifications and RFQ 08-10, which were duly awarded by the Oconee County Council are hereby made an integral part of this contract by reference and is to be adhered to unless specifically altered by this contract.
- S. ENTIRE AGREEMENT. This Agreement with referenced exhibits constitutes the entire agreement between the parties and, except for modifications prepared in accordance with provisions thereof, there are no collateral contracts or agreements between the parties relating to this work. The contract is to be interpreted under the laws of the State of South Carolina.

IN WITNESS THEREOF, the parties herein have executed this Agreement as of the day and year first written above.

WITNESSED BY:

TALBERT & BRIGHT, INC.  
(Consultant)

\_\_\_\_\_

By:

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Federal ID No: \_\_\_\_\_

Signed, sealed and executed for the County:

WITNESSED BY:

COUNTY OF OCONEE

\_\_\_\_\_

By:

George Blanchard  
Council Chairman



## Services of the County

Oconee County will furnish to the consultant, upon request, copies of the following items in its possession at no cost:

- Aerials
- Parcel Maps
- Traffic Counts
- Topographic Surveys
- Land Surveys
- Feasibility Studies
- Costs Estimates
- Available GIS Information
- Property Owners Information
- Census Data
- Land Use Projections
- Environmental and Non-restricted Historic Data obtained from state agencies

**AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE:** November 18, 2008  
**COUNCIL MEETING TIME:** 6:00 PM

**ITEM TITLE OR DESCRIPTION:**

Award for three full sets of hydraulic extrication tools and one partial set due to size limitations of the emergency vehicle for the Emergency Services department to Henry Schein/Matrix Medical of Irmo, SC, as the sole authorized dealer that provides both service and sales of this equipment. Total cost will be 595,122.18 including taxes and delivery.

**BACKGROUND OR HISTORY:**

Extrication equipment is being purchased to upgrade existing rescue squad equipment to work with today's automobile manufacturing standards. This equipment will help rescue squads work with other fire and rescue departments in this area.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

Currently the quantity and age of existing equipment has been noted as a weakness among Fire and Rescue departments. With the increase in call volume to include an increase in major motor vehicle accidents, it is imperative that the county's ability to mitigate these accidents is also increased for the benefit of the citizens and visitors to Oconee County.

**STAFF RECOMMENDATION:**

Staff recommends the award of the extrication equipment to Henry Schein/Matrix Medical as the authorized dealer for the following reasons:

1. This vendor is one of only two authorized dealers for Hurst/Centaur equipment for SC and is located in Irmo, SC. The other vendor is located in Charlotte, NC.
2. This vendor delivers equipment with fluids, ready to use and is also conveniently located for equipment to be dropped off for service.
3. Past experience with this vendor indicates timely and accurate service.
4. This new Centaur equipment will be compatible with other Centaur equipment already received by the department.

**FINANCIAL IMPACT:**

For FY 08/09, money was rolled from FY 07/08 to complete this purchase in the amount of \$100,000. (Budget Code 010-107-50840)

**ATTACHMENTS**

1. Itemized quotation.
2. Letter of explanation to Procurement from Emergency Services.
3. Authorized Dealer letter.

Submitted or Prepared By:

  
Department Head/Elected Official

Approved for Submittal to Council:

  
Dale Sarrett, County Administrator

Reviewed By/ Initials:

\_\_\_\_\_  
County Attorney

 Finance

C: Clerk to Council

### OCONEE COUNTY

415 S. PINE ST., WALHALLA, SC 29691 Phone 864-638-4200 Fax 864-638-7046

## REQUEST FOR QUOTATION

TO: Matrix Medical  
 RETURN QUOTE TO:  
 Name: Scott Krein  
 Fax: 864-638-7046

RFQ DATE: 10/31/08  
 RFQ #:

Do not proceed with anything on this request until you receive notification from the Oconee

County Procurement Office and until a purchase order is issued.

#### THIS IS NOT AN ORDER

- Please quote on this sheet in the spaces provided below.
- Vendors must state their delivery after receipt of order.
- Base quote on terms & conditions shown.
- Quote shall be valid for 30 days.
- Prices shall include all freight charges to destination and complete assembly/installation where applicable.

#### ALL BLANKS BELOW TO BE FILLED IN BY THE QUOTING VENDOR

Name of Company: HENRY SCHEIN Quotation Date: 10/31/08 Quotation #: 930

Authorized Signature: [Signature] Print Signature: BL BURNES

Phone #: 800 845 3550 Fax #: 803 781 3317 Mobile #: 803 600 4632  
 Provide Toll-Free numbers if available.

Return Quote By:	Deliver To:	Terms:	FOB:
<u>04/23/04</u>	<u>Walhalla, SC</u>	<u>Net 30</u>	<u>Destination, Freight Prepaid</u>

Qty	Description <small>(please provide your part numbers and/or manufacturer's part numbers where applicable)</small>	Unit Price	Total Price
3	362C330 S28 Spreader	4810	14,430
3	362C384 MOC II Cutter	3996	11,988
4	363C172 SIMO B	4625	18,500
3	257C133 TAP 41	2793.5	8380.50
3	257C134 TAP 60	2956.3	8868.90
3	362C400 MOC Combi-tool	4847	14541
6	353C188 33' Red Hose	706.70	4240.2
6	353C190 33' Yellow Hose	706.70	4240.2

STATE YOUR DELIVERY DATE AFTER RECEIPT OF A PURCHASE ORDER: <u>15-30 DAYS</u>	SALES TAX (6%):	511.33
	GRAND TOTAL:	90,300.13

**OCONEE COUNTY**

415 S. PINE ST., WALHALLA, SC 29691 Phone 864-638-4200 Fax 864-638-7046

**REQUEST FOR QUOTATION**

TO: Matrix Medical page 2  
 RETURN QUOTE TO:  
 Name: Scott Krein  
 Fax: 864-638-7046

RFQ DATE: 10/31/08  
 RFQ #:

Do not proceed with anything on this request until you receive notification from the Oconee

**THIS IS NOT AN ORDER**

- Please quote on this sheet in the spaces provided below.
- Vendors must state their delivery after receipt of order.
- Base quote on terms & conditions shown.
- Quote shall be valid for 30 days.
- Prices shall include all freight charges to destination and complete assembly/installation where applicable.

County Procurement Office and until a purchase order is issued.

**ALL BLANKS BELOW TO BE FILLED IN BY THE QUOTING VENDOR**

Name of Company: HENRY SCHEIDT Quotation Date: 10/31/08 Quotation #: 930

Authorized Signature: [Signature] Print Signature: BL BURNES

Phone #: 800 845 3550 Fax #: 803 781 3317 Mobile #: 803 600 46320  
 Provide Toll-Free numbers if available

Return Quote By:	Deliver To:	Terms:	FOB:
<u>04/23/04</u>	<u>Walhalla, SC</u>	<u>Net 30</u>	<u>Destination, Freight Prepaid</u>

Qty	Description <small>(please provide your part numbers and/or manufacturer's part numbers where applicable)</small>	Unit Price	Total Price
3	353C189 Black 33' Hose	706. <sup>70</sup>	2120. <sup>00</sup>
10	180C012 1 Gallon Containers	48. <sup>00</sup>	480. <sup>00</sup>
4	Adaptors for single connection to double	487.	1948. <sup>00</sup>
All equipment ready for service with fluid and preventative maintenance for startup provided. Delivery to Oconee and all taxes listed below			
			4549. <sup>10</sup>

STATE YOUR DELIVERY DATE AFTER RECEIPT OF A PURCHASE ORDER: <u>15-30 DAYS</u>	SALES TAX (6%): 272. <sup>95</sup>
	GRAND TOTAL: 4822. <sup>05</sup>

TOTAL BOTH PAGES 95,122.<sup>18</sup>

BBS





**OCONEE COUNTY EMERGENCY SERVICES**  
**FIRE, RESCUE HAZMAT**  
**EMERGENCY MANAGEMENT**

**SCOTT KREIN**  
**DEPUTY DIRECTOR**  
**EMERGENCY MANAGEMENT**

**PH: 864-638-4200**  
**FAX: 864-638-7046**

**415 S. PINE STREET**  
**WALTHALLA, SC 29691**

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**TO: Purchasing**

**Subject: Centaur Extrication Equipment**

**Date: November 7, 2008**

Oconee County Emergency Services has completed a review of the existing extrication equipment, also known as "jaws of life". The original manufacturer of this equipment was Hurst. Hurst later purchased another manufacturer, Centaur and now Hurst uses both names on their equipment. The Hurst branded equipment uses 5,000 PSI and the Centaur equipment uses 10,000 PSI. The Centaur brand has superior strength and speed over the older Hurst equipment.

During the past five years the Fire and Rescue Divisions have purchased multiple sets of Centaur equipment. To insure that future purchases can be interchanged with this newer, stronger and faster existing equipment, Centaur equipment is recommended for future purchases. Oconee County Emergency Services' goal and mission is to help all Fire and Rescue Divisions work together to best meet the needs of the county residents. When we have one type of extrication equipment county-wide, multiple agencies present on a scene will find that all tools will work together, eliminating additional work and time required to set up different systems.

There are only two authorized dealers for South Carolina for Hurst/Centaur equipment.

Henry Schein/Matrix Medical located in Irmo, SC and MBS Carolina located in Charlotte, NC. The last time this equipment was purchased, MBS Carolina was the low vendor by a price difference of \$50. They shipped the equipment without fluids and the cost of adding the fluids was \$100. The other vendor, Henry Schein/Matrix Medical delivers all equipment fully serviced, with fluids, ready to use. The Henry Schein/Matrix Medical vendor is also authorized to service the equipment and their service center is conveniently located in Irmo, SC. It is recommended that Oconee County Emergency Services purchase Hurst/Centaur equipment solely from Henry



**OCCONEE COUNTY EMERGENCY SERVICES**  
**FIRE, RESCUE HAZMAT**  
**EMERGENCY MANAGEMENT**

Schein/ Matrix Medical since this vendor is authorized for sales and service and delivers all equipment serviced and ready to use. This vendor already services all the Hurst/Centaur equipment that the county presently owns. Maintaining one vendor for this rescue equipment will save time and money during service.

**Scott Krein**  
**Deputy Director**  
**Emergency Services**

2007 SOURCE LETTER

To Shana Gibbs, Koroona Fire Department:

This letter will certify that Matrix Medical and MES-Carolina's are the sole authorized dealers for sales, service and maintenance of all Hurst Jaws of Life® and Hurst High Pressure™ rescue equipment and accessories for the State of South Carolina.

Matrix Medical  
140 Crouch Commercial  
Irmo, SC 29063  
(803)781-3370  
1-800-845-3550

MES-Carolina's  
6801-P Northpark Blvd  
Charlotte, NC 28216  
(704)599-4601  
1-800-368-9594

Distribution of Hurst Jaws of Life® fire-saving rescue equipment requires factory trained personnel that understand the application of the equipment, its safe use, and the proper operation and service methodology. The personnel at Matrix Medical and MES-Carolina's have made the required commitment to training and product knowledge that will ensure you receive the best in product knowledge, service and sales support in the rescue tool industry.

Matrix Medical and MES-Carolina's are committed to selling quality products to those that save lives on a daily basis and we have chosen them as our only source of distribution in your area because of their dedication and professionalism. We are confident you will be treated fairly and will be satisfied with the service they provide.

Thank you for your interest in Hurst Jaws of Life® products. Please feel free to contact us if you have any questions at 1-800-537-2658 or (704) 467-5551.

Sincerely,

William Simmons  
Vice President, Sales & Marketing, Rescue  
Hurst Jaws of Life® Products

**AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE: November 18, 2008  
COUNCIL MEETING TIME: 6:00 PM**

**ITEM TITLE OR DESCRIPTION:**

ATAX grant request to the Downtown Seneca Merchant's Association in the amount of \$13,520.00 for Sponsorship/Advertising of "Your Day" radio program. Request approved in ATAX Committee on 10/31/08 by unanimous vote.

**BACKGROUND OR HISTORY:**

State ATAX funds are received quarterly and 65% of those funds are Tourism Related funds that are to be disbursed as recommended by the ATAX committee and approved by County Council. All ATAX grant recipients are required by state law to turn in intermediate reports every 60 days to the progress of the grant and a final report upon completion of the grant. These reports are placed in the grant folder, which is kept active by the ATAX chairperson until the grant is considered complete, and then it is stored by the PRT office.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

The funds will be used for the continuation of the 52 week sponsorship of "Your Day", a Monday-Thursday, SCETV Radio Show to air statewide and a link of the 6 SC Heritage Corridor Arts Trail sites to the "Your Day" website. Also included is a one hour Radio show in the spring and a one hour Radio/TV program focusing on the South Carolina Heritage Corridor Region 1 Arts Trail. The "Your Day" radio show reaches over 4.2 million listeners annually throughout South Carolina. Your Day can be heard on FTV Radio on seven different FM stations throughout South Carolina in Aiken, Beaufort, Charleston, Columbia, Myrtle Beach, Rock Hill, Greenville/Spartanburg (90.1) and Sumter.

**COMPLETE THIS PORTION FOR ALL PROCUREMENT REQUESTS:**

Does this request follow Procurement Ordinance #2001-15 guidelines? Yes  
If no, explain briefly:

**STAFF RECOMMENDATION:**

Approval of ATAX grant request of \$13,520.00 to the Downtown Seneca Merchant's Association. Staff was reluctant initially due to the large amount. DSMA shared a large # of tourist zip codes gathered from the events that are advertised. Staff asked the Downtown Seneca Merchant's Association to be prepared to share with Council the benefits of this advertising campaign from last year if requested. ATAX funds were used last year for this same purpose.

**FINANCIAL IMPACT:**

Current ATAX fund balance is \$22,956.45. We have two ATAX requests this grant cycle. If both requests are approved by County Council, the remaining balance will be \$3,736.45.

**COMPLETE THIS PORTION FOR ALL GRANT REQUESTS.**

Are Matching Funds Available: **No**  
If yes, who is matching and how much

**ATTACHMENTS:**

Downtown Seneca Merchant's Association request with Zip Codes of attendees;

Submitted or Prepared By:

Phil Shirley  
Director of Parks, Recreation & Tourism  
Department Head/Elected Official

Approved for Submittal to Council:

Dale Surrency  
Dale Surrency, County Administrator

Reviewed By/ Initials:

\_\_\_\_\_  
County Attorney

pel Finance

WPK Grants

Procurement \_\_\_\_\_ Other: \_\_\_\_\_

**OCONEE COUNTY ATAX GRANT  
APPLICATION FORM  
FOR TOURISM RELATED PROJECTS**

**I. APPLICANT**

A. Name of Organization      Downtown Seneca Merchant Association

B. Address                      PO Box 1915 Seneca, SC 29678

**II. FUNDS REQUESTED**

A. ATAX Funds Requested      \$13,520.00

B. How will ATAX Funds be used? 52 Week sponsorship of "YOUR DAY", Monday-Thursday, ETC Radio (Statewide) with link for website. Also 2-1 hour recorded shows featuring SC Heritage Corridor Artists.

C. Estimated percentage of costs directly attributed to attracting or serving tourists? 100%

D. Funds furnished by your organization \$0

Matching grant \$ 0                      Source \_\_\_\_\_

Other Funding \$ 0                      Source \_\_\_\_\_

D. Provide an itemized budget for your event and for allotted funds. **THIS IS REQUIRED**, attach on a separate sheet.  
SEE ATTACHED BUDGET



Downtown Seneca Merchant Association

Our budget is \$25,000.00 without ATAX grant

Entertainment: \$3500.00 - 6 bimonthly events  
Advertisements: \$1830.00 - Monthly for local/regional print and radio ads  
ATAX grant \$13,520.00 - For YOUR DAY program sponsorship

In order to get the best rates on advertising, we contract for yearly print and radio ads.

### III. NARRATIVE PROJECT DESCRIPTION

A. Project Title Downtown Go Rounds in Historic Downtown Seneca

B. Description of project Bi-monthly event sponsored by DSMA. Gallery openings with music and refreshments. Local artists share their art to promote Oconee County as an art destination. There are 4 galleries in the SC Heritage Corridor Art Trail.

C. Who will benefit from this project? Oconee County and Historic Downtown Seneca. YOUR DAY currently reaches over 4.1 million listeners annually.

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### IV. DATES OF PROJECT

Beginning January, 2009 Ending December, 2009

### V. APPLICANT CATEGORY

Government Entity: \_\_\_\_\_

Non-profit Organization: Incorporation date 1986

Eleemosynary Organization under IRS Code: IRS # 57-0927715

Date of Determination Letter 1986

### VI. DEMOGRAPHIC DATA

How will the project influence tourism in Oconee County? By reaching 4.2 million annual listeners and informing them of the events available in Oconee County.

How many visitors/participants attended the event last year and are anticipated this year? 500-1000 per event. Attendance is growing yearly.

How many of the visitors/participants were from beyond a 50 mile radius of Oconee County last year and are anticipated this year? 30% (+/-) and hope to increase by 10% this coming year.

How many overnight stays were created by this event last year and are anticipated this year? With many 2<sup>nd</sup> homes in the area, this number is hard to know exactly.

How do you plan to advertise this event beyond a 50 mile radius of Oconee County? Through YOUR DAY - ETV Radio Sponsorship.

What other documentation can you provide demonstrating this event promotes Tourism in Oconee County? (i.e. photographs, letters from local chambers of commerce, restaurants, shop or accommodations owners) \_\_\_\_\_

What records will be kept during this event to obtain the above demographic data? (i.e. guest logs, phone logs, accommodations contracts, website hits, advertising demographics) The stores continue to keep guest logs and an accumulation of the number of hits on the web site.

## VII. AUDIT

Does your organization perform an independent audit? Yes \_\_\_ No

Name of the Auditor: \_\_\_\_\_

VIII. Will your project be using any funds from another group that received ATAX funds? NO

I have read the guidelines for the Oconee County Accommodations Grant Request and do hereby agree to comply with all rules and requirements. I understand failure to comply may result in a loss of funding for the project and that all information required for final reporting MUST be detailed when project is complete.

A. Contact Name David D. Howard Title President  
Signature [Signature] Date 9/26/08  
Address c/o DSA, Box 1915, Seneca SC 29679  
E-mail DDH@ADL.com Fax No. 864-882-8701  
Phone Number (s) 864-882-6068

B. Alternate Contact Gloria M. Arnold Title Grant Writer  
Address c/o DSA, Box 1915, Seneca SC 29679  
E-mail GORNE@ADL.com Fax No. 864-882-8701  
Signature [Signature] Date 9/26/08  
Phone Number (s) 864-882-6068

*Copy*

October 10, 2008

Mr. Dave Arnold, President  
Downtown Seneca Merchant Association  
PO Box 1915  
Seneca, SC 29679

RE: YOUR DAY

Dear Mr. Arnold:

The Rum Cat Alley Merchants want to endorse the continued support for using the SC-ETV YOUR DAY radio spots to promote the activities of the Downtown Merchant Association. The reach of this advertising benefits the entire region. The audience for this program fits the customers who frequent our downtown shops and restaurants, consider real estate and relocating to Oconee County and visit the other communities within the county. The Simmons tracking study shows that:

- 70% are between the ages of 27 & 54, with a median age of 44
- The median household income of listeners is \$59,000
- 35% have household incomes of \$75,000, which is 85% higher than the US average
- 55% have college degrees and beyond, which is 158% higher than the US average
- 45% are professional or management/administrators, which is 145% higher than the national average

In addition to the audience profile fit, the geographic coverage of the YOUR DAY and ETV Radio goes throughout South Carolina and into parts of North Carolina, Georgia and Florida. We encounter guests in our shops who have told us they kept hearing about downtown Seneca during trips and weekends. Having coverage in the Charlotte to Atlanta corridor is especially important since it brings in revenues from out of state and these outside dollars represent real growth to the county's and state's gross income.

Finally, the YOUR DAY sponsorship aligns us with programming that puts our community in a positive light. Clemson produces 208 YOUR DAY programs reaching 4.2 million listeners annually. The production staff works collaboratively with state agencies, such as the Department of Agriculture, Department of Natural Resources, Juvenile Justice, and Health and Environmental Control to ensure that YOUR DAY listeners receive information to their daily lives. YOUR DAY hosts world renowned guests including South Carolina governors, White House officials, noted authors and Grammy Award winners. The shows themes range from economics to health care to pet



care to gardening and has featured Seneca events as program content. There is something for everyone. Our sponsorship doesn't end with the broadcast. All segments are streamed via the Internet. In addition to live streaming, archives and pod casts are available for free and these too carry out information. The staff has worked with us and our specific sponsorship messages reflect ongoing and upcoming activities for the Downtown Seneca Merchants.

We believe it has been an effective tool that benefits the entire county by bringing in new guests who become customers and perhaps residents.

Sincerely,

Mary Tannery, President  
Ram Cat Alley Merchant Association



**Sponsorship Plan  
for  
Downtown Seneca  
Merchant Association**

**January 1 – December 31, 2009**

***Your Day***

**Monday – Thursday, ETV Radio (Statewide)**

**WLJK-FM 89.1, Aiken; WJWI-FM, Beaufort; WSCI-FM 89.3, Charleston; WLTR-FM 91.3, Columbia; WBMC-FM 90.1, Conway/Myrtle Beach; WEPR-FM 90.1, Greenville/Spartanburg; WNSC-FM 88.5, Rock Hill; WRJA-FM 88.1, Spartanburg**

**Daily Program Sponsorship**

- 52-week sponsorship, one 20-second, scripted mention per program**
- DSMA logo/web site link on *Your Day* Web site**
- Live-streamed and Archived programs on Web site**
- Podcasting to *Your Day* subscribers**
- [yourday.clemson.edu](http://yourday.clemson.edu)**

**\$13,520.00\***

**\*Sponsorship of *Your Day* supports Clemson Radio Productions initiatives. *Your Day* staff will work with the sponsor to create scripts for all mentions. Scripts can be revised at any time during the proposed schedule. All revisions must be approved by ETV Radio.**

**Your Day Radio - Clemson University - 178 Lehotsky Hall - Clemson, SC 29634-0127 - 864-656-4391**

**Zip Codes Collected During Events in Downtown Seneca, South Carolina**

**ALABAMA**

Birmingham, Alabama 35213

**CALIFORNIA**

Redondo Beach, CA 90278

Thousand Oaks, CA 91360

**CONNECTICUT**

Danbury, CT 06810

**FLORIDA**

Crawfordville, Florida 32327

Naples, Florida 34116

Punta Gorda, Florida 33955

**GEORGIA**

Albany, GA 31707

Alpharetta, Georgia 30005

Athens, GA 30605

Athens, GA 30606

Atlanta, GA 30343

Atlanta, GA 30328

Auburn, GA 30011

Bethlehem, GA 30620

Buford, GA 30519

Clarksville, GA 30523

Clayton, Georgia 30525

Covington, Georgia 30094

Duluth, GA 30096

Duluth, GA 30097

Decola, GA 30019

Elberton, GA 30635

Grayson, GA 30017

Jasper, GA 30143

Laurensville, GA 30044

Laurensville, GA 30045

Lilburn, GA 30247

Mableton, Georgia 30126

Marietta, Georgia 30064

Marietta, Georgia 30068

Martin, GA 30557

Tifton, GA 31794

Toccoa, Georgia 30577  
Vidalia, GA 30474

#### INDIANA

Lafayette, IN 47901  
Trabalgar, IN 46181

#### MARYLAND

Bowie, Maryland 20721  
Highland, Maryland 20777

#### MINNESOTA

Austin, MN 55912

#### NORTH CAROLINA

Asterville, NC 28801  
Asheville, NC 28803  
Ashville, NC 28813  
Brevard, North Carolina 28712  
Cashiers, NC 28717  
Connelly Springs, NC 28612  
Davidson, NC 28036  
Greensboro, NC 27455  
Hendersonville, NC 28791  
Highlands, North Carolina 28741  
Horse Shoe, NC 28742  
Kernerville, NC 27284  
Kinston, NC 28504  
Raleigh, NC 27614  
Sapphire, NC 28774  
Stanford, North Carolina 27332  
Weaverville, NC 28787  
Wilmington, NC 28411  
Winston-Salem, NC 27106

#### NEW YORK

Centertach, NY 11720  
Sag Harbor, NY 11963  
Shrub Oak, NY 10588

#### OHIO

Greve City, Ohio 43323  
Tiffin, Ohio 44883  
Westerville, Ohio 43082

## **SOUTH CAROLINA**

Anderson, South Carolina 29621  
Anderson, South Carolina 29622  
Anderson, South Carolina 29625  
Anderson, South Carolina 29626  
Camden, South Carolina 29020  
Central, South Carolina 29630  
Charleston, SC 29401  
Charleston, SC 29412  
Charleston, SC 29414  
Chester, SC 29323  
Chester, SC 29706  
Clemson, South Carolina 29631  
Columbia, SC 29205  
Easley, South Carolina 29640  
Easley, SC 29642  
Edgefield, South Carolina 29824  
Fair Play, South Carolina 29643  
Georgetown, South Carolina 29440  
Greenwood, South Carolina 29649  
Greenville, SC 29601  
Greenville, SC 29609  
Greer, SC 29651  
Hartsville, SC 29550  
Lansar, SC 29069  
Lancaster, South Carolina 29720  
Liberty, SC 29657  
Newry, SC 29665  
Mt. Pleasant, SC 29464  
Mrs. Rest, South Carolina 29664  
Myrtle Beach, SC 29572  
Ninety Six, SC 29666  
Palix, SC 29669  
Pendleton, SC 29670  
Pickens, South Carolina 29671  
Piedmont, SC 29673  
Saluda, South Carolina 29676  
Sandy Springs, SC 29677  
Seneca, South Carolina 29672  
Seneca, South Carolina 29678  
Seneca, South Carolina 29679  
Simpsonville, SC 29681  
Spartanburg, South Carolina 29301  
Spartanburg, SC 29307  
Summerville, SC 29483



Sunset, SC 29685

Tamassee, SC 29686

Townville, South Carolina 29689

Wahulla, South Carolina 29691

West Union, South Carolina 29696

Wesminster, South Carolina 29693

### TEXAS

Duncanville, Texas 75137

### VIRGINIA

Williamsburg, Virginia 23188

**AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE: November 18, 2008  
COUNCIL MEETING TIME: 7:00 PM**

**ITEM TITLE OR DESCRIPTION:**

State ATAX grant request for Westminster Area Historic Preservation Society in the amount of \$5,700.00 for renovation of a historic building on Main Street, Westminster for use as a General Store Museum. Request approved in ATAX Committee on 10/31/08 by unanimous vote and pre-approved for qualification by the State Tourism Review Expenditure Committee.

**BACKGROUND OR HISTORY:**

State ATAX funds are received quarterly and 65% of those funds are Tourism Related funds that are to be disbursed as recommended by the ATAX committee and approved by County Council. All ATAX grant recipients are required by state law to turn in intermediate reports every 60 days to the progress of the grant and a final report upon completion of the grant. These reports are placed in the grant folder, which is kept active by the ATAX chairperson until the grant is considered complete, and then it is stored by the PRT office.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

The funds will be used to help fund phase 1 of the project which will include the renovation of a historic building on Main Street in Westminster for use as a general store museum. The museum will contain the collection of artifacts from the England's General Merchandise Store. The project will include the installation of HVAC, fire protection and wood deck with steps along the rear elevation. Additionally the project will include restoration of water-damaged store counters from England's Store.

**COMPLETE THIS PORTION FOR ALL PROCUREMENT REQUESTS:**

Does this request follow Procurement Ordinance #2001-15 guidelines? Yes  
If no, explain briefly:

**STAFF RECOMMENDATION:**

Approval of ATAX grant request of \$5,700.00 to the Westminster Area Historic Preservation Society. Total project costs for Phase I is \$41,087.

**FINANCIAL IMPACT:**

Current ATAX fund balance is \$22,956.45. We have two ATAX requests this grant cycle. If both requests are approved by County Council, the remaining balance will be \$3,736.45.

**COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:**

Are Matching Funds Available: Yes  
If yes, who is matching and how much: South Carolina National Heritage Corridor - \$20,000.00  
Oconee County Local ATAX - \$1,940.00  
Potential Matching grant - Regional South Carolina National Heritage Corridor - \$10,000.00

**ATTACHMENTS:**

Westminster Area Historic Preservation Society request

**Submitted or Prepared By:**

Phil Shirley  
Director of Parks, Recreation & Tourism  
Department Head/Elected Official

**Approved for Submittal to Council:**

  
Dale Surratt, County Administrator

**Reviewed By/ Initials:**

\_\_\_\_ County Attorney

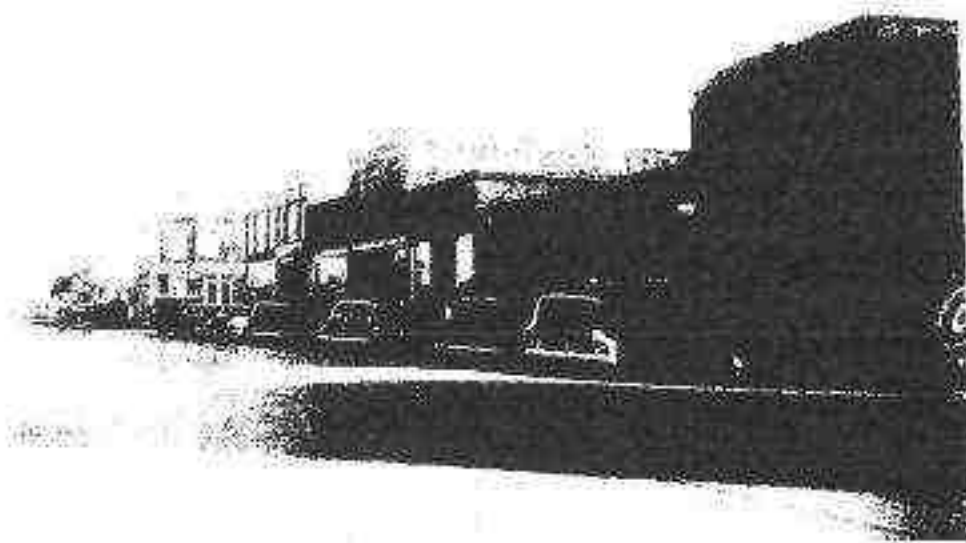
pel Finance

lsh Grants

Procurement \_\_\_\_\_ Other: \_\_\_\_\_

# GENERAL STORE MUSEUM

Westminster, South Carolina



*Prepared By*

# WAHPS

Westminster Area Historic Preservation Society  
218 East Main Street  
Westminster, South Carolina 29693  
(804) 647-1055



# WAHPS

Westminster Area Historic Preservation Society

218 East Main Street  
Westminster, SC  
29693

October 14, 2008

Ms. Geri McSwain, Chairperson  
Oconee County ATAX Committee  
335 Fernwood Drive  
Salem, SC 29676

Re: General Store Museum

Dear Ms. McSwain,

The Westminster Area Historic Preservation Society (WAHPS) is pleased to submit the following grant application to the Oconee County Accommodations Tax Advisory Committee. Enclosed is a grant application to renovate the Barrett-Jones Building as a general store museum. The general store museum will house the contents from England's General Merchandise Store. In January 2007, the contents of England's Store were purchased by the WAHPS with the assistance of the Mountain Lakes Region of the South Carolina National Heritage Corridor (SCNHIC). Since that time, the thousands of items that fill the store have undergone extensive photographing and cataloging.

This phase of the project will include the installation of HVAC, plumbing, electrical, security and fire protection. Additionally, the project will include restoration of water-damaged store counters from England's Store and the recreation of shelving that parallels the walls of the building. Finally, the project will include renovation of restrooms and meeting spaces at the rear portion of the subject structure.

Enclosed with this grant application are two cost estimates that have been submitted for different scopes of work within this phase of the project (Appendix A). These estimates have been provided without comparable cost estimates because the matching grants have been awarded based on the enclosed cost estimates. Additionally, I have attached a letter from the Oconee Heritage Center (OHC) regarding the qualifications of this project for ATAX funding. Please see the response from Frans N. Mustert with the South Carolina Tourism Expenditure Review Committee (Appendix B).

We hope that the Oconee County ATAX Advisory Committee will support our efforts to preserve not only Westminster's history, but the history of the Oconee County as well. Please feel free to call me if you require any additional information.

Sincerely,

**WESTMINSTER AREA HISTORIC PRESERVATION SOCIETY**

R.T. Harris  
President

**OCONEE COUNTY ATAX GRANT  
APPLICATION FORM  
FOR TOURISM RELATED PROJECTS**

**I. APPLICANT**

A. Name of Organization

*Westminster Area Historic Preservation Society (WAHPS)*

B. Address

*218 East Main Street  
Westminster, South Carolina 29693*

**II. FUNDS REQUESTED**

A. ATAX Funds Requested

*\$5,700*

B. How will ATAX Funds be used?

*Phase 1 of the project will include the renovation of a historic building on Main Street in Westminster for use as a general store museum. The museum will contain the collection of artifacts from the England's General Merchandise Store. The project will include the installation of HVAC, fire protection and a wood deck with steps along the rear elevation. Additionally, the project will include restoration of water-damaged store counters from England's Store.*

*Future phases of the project will include the recreation of shelving that parallels the walls of the building and the renovation of restrooms and meeting spaces at the rear portion of the subject structure.*

C. Estimated percentage of costs directly attributed to attracting or serving tourists?

*100%*



D. Funds furnished by your organization \$ **3,447**

Matching grant \$ **20,000**

Source **South Carolina National  
Heritage Corridor**

Matching grant \$ **1,940**

Source **Local ATAX**

Potential Matching grant \$ **10,000**

Source **Regional South Carolina  
National Heritage Corridor**

Other Funding \$ \_\_\_\_\_

Source \_\_\_\_\_

E. Provide an itemized budget for your event **and** for allotted funds. **THIS IS REQUIRED**, attach on a separate sheet.

**See Appendix A.**

### III. NARRATIVE PROJECT DESCRIPTION

A. Project Title

**General Store Museum**

B. Description of project

*Our project includes the renovation of the Barrett-Jones Building to be used as the General Store Museum. The construction plans and budget estimate included with this application help to describe the project in more detail (See Appendix A). Partition walls in the front portion of the building have been removed at the front of the building for the recreation of shelving to create display space for the England's General Store artifacts. The middle portion of the building will be a display area for local artisans. The rear portion of the building will contain office/meeting space for WAHPS, the Chamber of Commerce and the SC Apple Festival Committee, restrooms and a mechanical room. A wood deck will be constructed behind the building as well. Additional work will include the installation of two (2) 3-ton HVAC units, the installation of a sprinkler system and replacement of electrical and plumbing.*

D. Who will benefit from this project?

*Many people will benefit from the general store museum. The museum will provide a hub for tourism in the City of Westminster. The museum will be in a highly visible and accessible location on Main Street. Currently, there is no visitor's center in the city. Once the museum is open, tourists, visitors and locals will be able to utilize the facility for learning about Westminster and Oconee County. Additionally, the museum will provide a facility for civic functions on Main Street.*

IV. DATES OF PROJECT

Beginning January 2009 Ending January 2010

V. APPLICANT CATEGORY

Government Entity: \_\_\_\_\_

Non-profit Organization: Incorporation date July 21, 2006

Eleemosynary Organization under IRS Code: IRS # 30-0375813

Date of Determination Letter May 16, 2007

VI. DEMOGRAPHIC DATA

How will the project influence tourism in Oconee County?

*This project will have a great influence on tourism in Oconee County once the museum is open. As previously mentioned, the museum will provide a hub for tourists in Westminster. This project will support efforts being made by the Westminster Tourism Strategic Planning Team to promote tourism in our area.*

How many visitors/participants attended the event last year and are anticipated this year?

*The museum is not open. However, the museum is anticipated to open in 2010.*

How many of the visitors/participants were from beyond a 50 mile radius of Oconee County last year and are anticipated this year?

***The museum is not open. However, the museum is anticipated to open in 2010.***

How many overnight stays were created by this event last year and are anticipated this year?

***The museum is not open. However, the museum is anticipated to open in 2010.***

How do you plan to advertise this event beyond a 50 mile radius of Oconee County?

***Advertising for the museum will be through various publications including Discover Upcountry. Additionally, the museum hopes to be re-listed as a Discovery Site for the South Carolina National Heritage Corridor. Once the museum is open, we plan to create a brochure for distribution to various sites around the state.***

What other documentation can you provide demonstrating this event promotes Tourism in Oconee County? (i.e. photographs, letters from local chambers of commerce, restaurants, shop or accommodations owners)

***Please see attached letters from the City of Westminster and the Westminster Chamber of Commerce (Appendix C).***

What records will be kept during this event to obtain the above demographic data? (i.e. guest logs, phone logs, accommodations contracts, website hits, advertising demographics)

***Once open, the museum will maintain a guest log. Additionally, a log will be kept on the number of website hits. Please feel free to review our current website [www.wahps.org](http://www.wahps.org).***

**VII. AUDIT**

Does your organization perform an independent audit? Yes \_\_\_ No X

Name of the Auditor \_\_\_\_\_

**VIII.** Will your project be using any funds from another group that received ATAX funds? No

*I have read the guidelines for the Oconee County Accommodations Grant Request and do hereby agree to comply with all rules and requirements. I understand failure to comply may result in a loss of funding for the project and that all information required for final reporting MUST be detailed when project is complete.*

A. Contact Name RT Harris Title President

Signature RT Harris Date 10-14-08

Address 218 East Main Street, Westminster, SC, 29693

E-mail rt.harris@bellsouth.net Fax No. 864-647-1076

Phone Number (s) 864-647-1065

B. Alternate Contact Deanna DeFoor Title Vice-President

Address 310 Retreat Street, Westminster, SC, 29693

E-mail deanna@clemsonappraisers.com Fax No. 864-647-2493

Signature Deanna R. DeFoor Date 2-14-08

Phone Number (s) 864-647-2490





# MORE SUN

Central Florida Tint

1550 Lake Nona Blvd  
#1000 N. 2060  
Lake Nona, FL 32159  
407.241.1111

**CUSTOMER:** Residential Area Health Prescriptions NABH  
811111

## RESTORATION PROPOSAL 2-11-08

1. We are pleased to be the restoration and repair vendor for your party  
2. We are pleased to be the repair vendor



Restoration Proposal

\$4,350.00

**TOTAL** \$4,350.00





The Oconee Heritage Center and the Westminster Area Historic Preservation Society are opening a new satellite museum in Westminster, SC. The first phase of renovations will begin in January with the following projects:

<i>New Wood Deck and Steps at Rear (currently no steps at rear)</i>	\$8,645
<i>HVAC</i>	\$15,684
<i>Sprinkler System</i>	\$11,908
<i>Counter Restoration</i>	\$4,850
<i>Total</i>	<u>\$41,087</u>

The new museum will house the collection from the England's General Merchandise store which was purchased last year (see photos) as well as other Westminster-area exhibits.

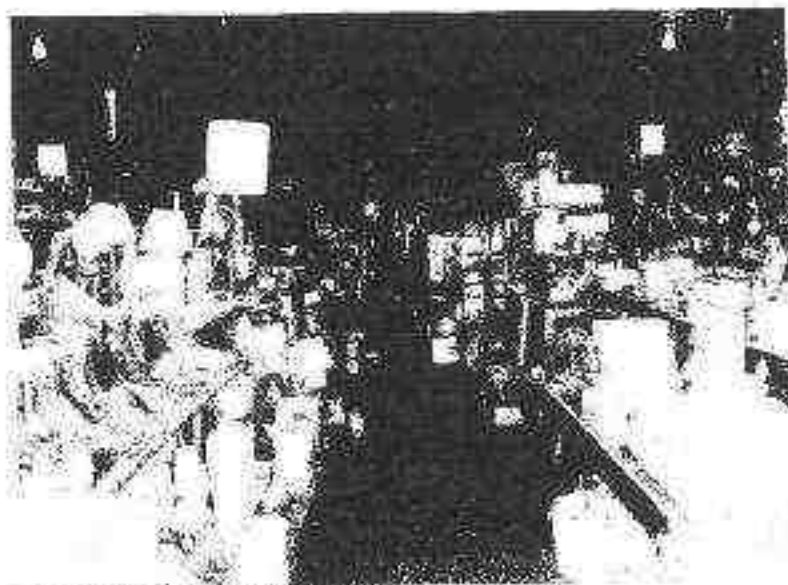
The "Counter Restoration" is the refurbishment of a store counter damaged years ago by water to be used in the new museum (see photos).

The satellite museum and the creation of the Westminster Area Historic Preservation are part of a larger revitalization project in Westminster to bring tourism to the area.

Since there are no statistics of visitors to the new museum, the OHC has used corresponding numbers from the museum in Wadhalla for previous grants. The OHC receives approximately 40% of its total visitors from outside a 50-mile radius.

In order to begin this phase in January, \$5,700 is still needed of the above budget. This equals roughly 14% of the overall phase budget.

Would any part of this phase of the project qualify for an application for State ATAX?



*Contents of England's General Merchandise*

# Tourism Expenditure

## Committee

Chairman  
Vice Chairman  
Secretary  
Treasurer  
Member  
Member

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Member

September 18, 2008

Nicholas Gambrell  
Oconee Heritage Center  
123 Brown Square Drive  
PO Box 395  
Walhalla, SC 29691

Dear Mr. Gambrell,

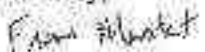
The Tourism Expenditure Review Committee (TERC) is in receipt of the request from Oconee Heritage Center regarding the proposed project, which is to open a museum in Westminster, SC that will house the collection from the England's General Merchandise store in order to bring tourism to the area.

At its meeting on August 25, 2008, TERC was of the opinion that the proposed project would be appropriate due to the fact that it is arts-related.

We appreciate your time and efforts in submitting this information, and wish you much success with your project.

Any further questions may be directed to our staff liaison, Mrs. Lauren Sponseller, by emailing her at [sponsel@scjax.org](mailto:sponsel@scjax.org) or by calling 803-898-5400. Thank you.

Sincerely,



Frans N. Mustert, Chairman  
Tourism Expenditure Review Committee

FNM:lis

## Addendum to WAHPS ATAX Grant Application

### **Budget Clarification**

Phase I of the General Store Museum Project will include the following:

• HVAC	\$15,684
• Fire Protection	\$11,908
• Wood Deck at Rear Elevation	\$8,645
• Restoration of Wood Counter	\$4,850
<b>TOTAL</b>	<b>\$41,087</b>

### **Cost Estimate Clarification**

Two (2) cost estimates have been provided for separate scopes of work. The estimates have been provided without comparable estimates (of similar scopes of work) because previous grants have been awarded based on the enclosed cost estimates.

### **Funds Requested Clarification**

Under Item C, the grant application asks to provide an "estimated percentage of costs directly attributed to attracting or serving tourists." It is our belief that 100% of the costs for this project will serve tourists. Tourists that visit the general museum will receive the benefit of all money spent to renovate the subject building. Additionally, all costs associated with this project will be directly attributed to serving visitors that are not tourists.





## Boards & Commissions

Boards & Commissions	Meeting Date to Appoint	George Blanchard District I	Tommy Crompton District II	Mario Suarez District III	Marion-Lykes District IV	Frank Ables District V	Delegation Offices	Other
Aeronautics Commission	February 2012							
Anderson-Ozone Behavioral Health Services Commission	May 2011	2011: Harold Alley, Wenda Long, Joan Black, Jere DuBois, Fred Hamilton, Boile Welsh, Robert Blessingame						
Arts & Historical Commission	March 2010	Rick Bethes	Luther Lyle	Al Robinson	Barbara Waters	Henry Richardson	2012: Al Lange	2010 - Jenny Bagwell & 2012 - Stan Dubise
Assessment Appeals, Board of		N/A	N/A	N/A	N/A	N/A	Board Full	
ATAX Committee	June 2008	Not by District, by Industry	Ginger Pope	Geri McSwain	Gerald Foster, Glen Abbott		2011: Joanne Blake, Barbara Laughlin, Doyle Burion	
Building Codes Appeal Board	January 2011	Roger Mizo	Neal Workman	Sam Shaw	Virison Smith	Forrest Fuller		
Disabilities & Special Needs, Board of		N/A	N/A	N/A	N/A	N/A	Board Full	
Economic Development Commission	November 2010	Kim Alexander	Harold Gibson	Hank Field	Sam Dickson	Buddy S. Henning		
Emergency Services Commission	January 2009	Roger Garst	Jess Nevell	Heatherington	Nick Williams	Tim Grant	Terms co-terminus w/ council members term	
Firemen's Insurance & Inspection Fund Board	August 2005							
Infrastructure Advisory Commission **	N/A	2009: Larry Harden, Dewitt Mize, Chris Smith, Richard Timms, Charles Bobby Williams County Council Chairman + Council Appoints 3. E commit: Development Director + two - at present = Art Holtbrooks / Planning, Dale Sarrick / Administrator FV/B. Norton attends in an advisory role						
Keosauqua Fire Tax District Commission		All Members elected to 4-yr term in November General Election / 2 in 2008, 3 in 2010, etc.						
Library Board	November 2006							
Parks, Recreation & Tourism Commission	October 2010	Erin Mckergow	Dwight Adcis	Wayne Frady	Milred Sosaman	John Carter		2010: Betha George
Planning Commission	April 2008	William Nelson	Randy Abbott	Bill Evatt	Tommy Abbott	Ryan Honea	2009: Rex Ramsay / Howard Moore	
SC ACOG Board	September 2010	2010: Bob Winchester / Citizen Representative 2010: George Blanchard / Council Representative						
Sewer Commission		Council will no longer appoint - Ozone Joint Regional Sewer Authority [OJRSA]						
Water Board	N/A	Inactive Board w/o members - may appoint in future if needed.						
Zoning Board of Appeals	February 2009	Gary Winters	Sammy Lee	Gary Littlefield	Clark Wilmont	Eric Molin	2012: Al Lange, 2012: Berry, Nichols & Paul Reckert	

\*\* Infrastructure Advisory Commission members serve until replaced

Council does not appoint this Board/Commission  
OPEN SEAT for this Board/Commission in current yr.  
PAST DUE APPOINTMENT for Board/Commission

**AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE:** November 18, 2008  
**COUNCIL MEETING TIME:** 6:00 PM

**ITEM TITLE OR DESCRIPTION:**

Request for recreation funds in the amount of \$10,000.00 to Westminster Recreation Department from account 010-202-30904 for official's fee and football uniforms.

**BACKGROUND OR HISTORY:**

Money is budgeted for each Council district for youth recreation purposes to eligible organizations. Parks, Recreation and Tourism Commission approved this request on October 31, 2008 by unanimous vote and recommends approval to County Council. As stated in the Approved Distribution Plan of County Funds for Parks and Recreation, County Council must approve requests.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

Westminster Recreation Department is an eligible organization and this is an eligible request under the Approved Distribution Plan of County Funds for Parks and Recreation. Funds will be used for football uniforms and to pay for officials for Fall sports 2009.

**STAFF RECOMMENDATION:**

Recommendation for approval of \$10,000.00 to Westminster Recreation Department:

**FINANCIAL IMPACT:**

\$10,000.00 of budgeted funds from PRT line item 010-202-30904.

**COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:**

Are Matching Funds Available: Yes / No  
If yes, who is matching and how much:

**ATTACHMENTS**

Attached

Submitted or Prepared By:  
Phil Shirley  
Director Parks, Recreation & Tourism

\_\_\_\_\_  
Department Head/Elected Official

Approved for Submittal to Council:

  
\_\_\_\_\_  
Dale Surrent, County Administrator

**Reviewed By/ Initials:**

\_\_\_\_\_ County Attorney      \_\_\_\_\_ Finance      \_\_\_\_\_ Grants      \_\_\_\_\_ Procurement

\_\_\_\_\_ Other: \_\_\_\_\_

*Agenda Items Summary to be submitted to Administrator for review / approval no later than close of business on Wednesday prior to a Council meeting.*

***Westminster Recreation Department  
P.O. Box 399  
Westminster, S.C. 29693  
(864) 647-3208***

October 20, 2008

The Westminster Recreation Department would like to request \$10,000 from the Oconee County recreation funds in order to purchase football uniforms and officials pay for fall sports in 2009. The remaining funds necessary to complete these projects will come from the City of Westminster Recreation Department funds. For any questions, please call the recreation department at 647-3208.

Yours for better recreation,

Herbert L. Poole, Jr.  
Recreation Director  
City of Westminster

**AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE:** November 18, 2008  
**COUNCIL MEETING TIME:** 6:00 PM

**ITEM TITLE OR DESCRIPTION:**

Request for approval of Arts & Historical grant request of \$1,500.00 to the Oconee Heritage Trails organization to help fund the necessary research to publish a brochure promoting Oconee County's historic sites. Request approved in Arts & Historical Committee on 11-06-08 by a unanimous vote.

**BACKGROUND OR HISTORY:**

The Oconee Heritage Trails organization is conducting a survey of historic sites in Oconee County and collecting historical documentation on those sites in order to publish a brochure to promote Oconee County's rich heritage. The brochure would include historical information about each site and how it related to the county's history, as well as maps to help guide the visitor to each site.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

Hopefully this will help to include Oconee County in the South Carolina National Heritage Corridor's "Military Heritage Trail" and "Native American Heritage Trail" as well as the "Cherokee Heritage Trails" system that is currently established in North Carolina, Georgia, and Tennessee. **Any books, maps, or other printed research information collected for this project will be donated to the Oconee Heritage Center upon completion.**

**STAFF RECOMMENDATION:**

Approval of Arts & Historical Committee grant request of \$1,500.00 to Oconee Heritage Trails to help fund the research necessary to publish a brochure promoting Oconee County's historic sites.

**FINANCIAL IMPACT:**

\$1,500.00 to be paid out of budgeted line item 010-202-30022-00215.

**COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:**

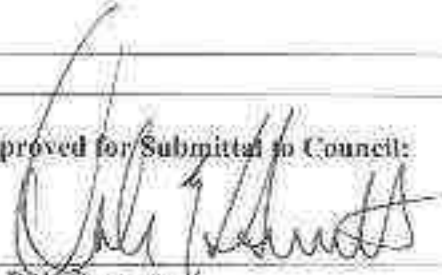
Are Matching Funds Available: No  
If yes, who is matching and how much:

**ATTACHMENTS:**

**Submitted or Prepared By:**

Phil Shirley  
Director of Parks, Recreation & Tourism  
(Department Head/Elected Official)

**Approved for/Submitted to Council:**

  
Dale Surratt,  
Oconee County Administrator

**Reviewed By/ Initials:**

\_\_\_\_\_ County Attorney \_\_\_\_\_ Finance \_\_\_\_\_ Grants \_\_\_\_\_ Procurement  
Other: \_\_\_\_\_

# Oconee Heritage Trails

120 Quail Haven Drive  
Walhalla, SC 29691

September 21, 2008

Oconee Arts and Historical Commission  
415 South Pine Street  
Walhalla, SC 29691

Dear Commission Members,

Our organization is conducting a survey of historic sites in Oconee County and collecting historical documentation on those sites in order to publish a brochure to promote Oconee's rich heritage. The brochure would include historical information about each site and how it relates to our county's history, as well as maps to help guide the visitor to each site.

Hopefully this will help to include Oconee County in the South Carolina National Heritage Corridor's "Military Heritage Trail" and "Native American Heritage Trail," as well as the "Cherokee Heritage Trails" system that is currently established in North Carolina, Georgia, and Tennessee.

We would like to request a grant in the amount of \$1500.00 in order to do the necessary research to publish a brochure promoting Oconee's historic sites.

Any books, maps, or other printed research information collected for this project will be donated to the Oconee Heritage Center upon completion.

Thank you for your consideration.

Dr. David LaVere  
Chairman,  
Oconee Heritage Trails



AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC

COUNCIL MEETING DATE: November 18, 2008  
COUNCIL MEETING TIME: 6:00 PM

**ITEM TITLE OR DESCRIPTION:**

Best Value Bid (BVB) 08-08 Self Contained Breathing Apparatus (SCBA's) for Oconee County Emergency Services

Award BVB 08-08 to Anderson Fire and Safety of Anderson, SC in the amount of \$1,263,687.20 for SCBA's for Oconee County Emergency Services

**BACKGROUND OR HISTORY:**

The main mission of Oconee County Emergency Services is to provide maximum safety for all personnel. Our assessment of the SCBA's in service indicated that the majority are not certified to the newest National Fire Protection Association (NFPA) standard, NFPA updates standards every five (5) years and the latest 2008 update states that all SCBA's must be Chemical, Biological, Radiological and Nuclear (CBRN) certified. Upgrades can only be completed within 2 revision cycles, which is ten (10) years and the age of the majority of our present equipment exceeds that. This replacement, including the newest models where upgrading was not cost feasible, will insure our SCBA's meet the NFPA 2008 Standard.

**BID SOLICITATION HISTORY:**

On October 21, 2008, formal sealed bids were opened for this equipment. Three (3) companies were originally notified of this bid opportunity. Three (3) companies submitted bids. This was a Best Value Bid with cost comprising 70% and other evaluation criteria comprising 30% of the total award. The selection committee, comprised of Jay Hetherington, Scott Loftis, Jess Neville and Nick Williams unanimously voted to recommend award to Anderson Fire and Safety of Anderson, SC. (See Attached Bid Tabulation)

**STAFF RECOMMENDATION:**

Staff recommends award of BVB # 08-08 to Anderson Fire & Safety of Anderson, SC for the amount of \$1,263,687.20.

**FINANCIAL IMPACT:**

In FY 07-08, County Council approved an Equipment Lease Agreement with Branch Banking and Trust Company, Ordinance 2008-12 (copy attached) dated May 20, 2008, for the purchase of SCBA's, Radio's, Adapters, Truck Communication Systems and related equipment for fire trucks. (Budget Code 020-107-61004-000)

**COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:**

Are Matching Funds Available: *N/A*

If yes, who is matching and how much:

**ATTACHMENTS:**

1. Bid Tabulation
2. Ordinance 2008-12

Submitted or Prepared By:

*Robyn Courtright*  
Department Head/Elected Official

Approved for Submittal to Council:

*Dale Surratt*  
Dale Surratt, County Administrator

Reviewed By/ Initials:

\_\_\_\_\_ County Attorney

*pel* Finance

\_\_\_\_\_ Grants

C: Clerk to Council

I hereby certify that to the best of my knowledge  
this bid complies with the bid items.

*Robert Courtwright*  
Procurement Director

Buyer: Robert Courtwright, Contract #16-001, 800.327.8900  
Project Code: 000-000-040000000

Bidders	Anderson Fire & Safety	Safe Industries	Station Aire		
Address	Anderson, SC	Greenville, SC	Cedar Falls, NC		
Subcontracted By	Yes	Yes	Yes		
SCBA's (238)	\$1,157,600.00	\$1,275,024.00	\$1,043,986.86		
Face Piece w/Amp (163)	\$27,450.00	60.00	\$53,789.20		
Face Piece w/Comm (90)	\$59,750.00	\$52,260.00	\$111,313.80		
Telephony Device	\$6,440.00	includes	includes		
Sub Total	\$1,258,140.00	\$1,127,334.00	\$1,209,089.86		
Sales Tax	\$76,098.40	\$67,653.04	\$72,564.19		
Trade In	(\$9,010.00)	(\$7,734.00)	(\$7,750.00)		
Total	\$1,255,228.40	\$1,157,256.04	\$1,273,864.13		
Delivery:	30-45 Days ARO	45 Days ARO	60 Days ARO		
Additional Trimmy Devices (7)	\$6,436.80	\$30,316.00	No Price Given		
Grand Total	\$1,263,667.20	\$1,187,572.04	\$1,273,864.13		
Commitment Ranking	1	2	3		

STATE OF SOUTH CAROLINA  
OCONEE COUNTY  
ORDINANCE 2008-12

ORDINANCE OF THE COUNTY COUNCIL OF OCONEE COUNTY, SOUTH CAROLINA, AUTHORIZING A NOT EXCEEDING \$1,477,683 LEASE/PURCHASE AGREEMENT, SERIES 2008 RELATING TO THE FINANCING OF VARIOUS ITEMS OF EQUIPMENT FOR PUBLIC PURPOSES; AUTHORIZING THE EXECUTION AND DELIVERY OF VARIOUS DOCUMENTS INCLUDING THE LEASE AGREEMENT; AND OTHER MATTERS RELATING THERETO.

BE IT ORDAINED BY THE COUNTY COUNCIL OF OCONEE COUNTY, SOUTH CAROLINA, AS FOLLOWS:

Section 1. The County Council (the "Council") of Oconee County, South Carolina (the "County"), as lessee, hereby finds and determines that:

- (a) the County is a body politic and corporate and a political subdivision and, as such, possesses all powers granted to political subdivisions by the Constitution and general laws of the State of South Carolina; and
- (b) the County desires to enter into a lease/purchase agreement (the "Lease") with Branch Banking and Trust Company (the "Bank") for the purpose of financing the purchase of various items of equipment more fully described on Exhibit A attached hereto (the "Equipment"); and
- (c) the payments by the County under the Lease will be subject to annual appropriation by the Council.

Section 2. The Council hereby ratifies the actions of the Director of Administrative Services and Finance including distributing a request for proposals to various banks and leasing companies and determining the final principal amount and maturity date of the Lease. The Council hereby accepts the proposal of the Bank to finance the lease in a principal amount not to exceed \$1,477,683, at an interest rate of 3.05% per annum for a five-year term without further action required of the Council.

Section 3. The Council hereby authorizes the County Administrator, the Director of Administrative Services and Finance, the County Attorney, and the Clerk to Council, acting jointly or individually, to execute and deliver the Lease and such other documents and instruments as necessary to effect the execution and delivery of the Lease.

Section 4. The Lease will be designated as a "qualified tax-exempt obligation" within the meaning of and for purposes of Section 265(b) of the Internal Revenue Code of 1986, as amended, provided the Lease is executed and delivered in calendar year 2008.

Done in meeting duly assembled this 20<sup>th</sup> day of May, 2008.

OCONEE COUNTY, SOUTH CAROLINA

ATTEST:



Clerk to County Council



Chairman, Oconee County Council

First Reading: April 5, 2008  
Second Reading: May 5, 2008  
Final Reading: May 20, 2008

EXHIBIT A

EQUIPMENT LIST

<u>Description</u>	<u>Quantity</u>
<b>Self-contained breathing apparatus</b>	
60 min. 4500 psi pack w/carbon cylinder	8
45 min. 4500 psi pack w/carbon cylinder	77
30 min. 4500 psi pack w/carbon cylinder	145
Spare 60 minute carbon cylinder	8
Spare 45 minute carbon cylinder	77
Spare 30 minute carbon cylinder	145
Pak-Trucker w/truck charger & spare battery	35
<b>Radios, Adapters &amp; Truck Comms Systems</b>	
Public Safety Rated Radios	70
SCEA Mask Communication Adapter	70
Truck communications System	28
<b>Related equipment for equipping fire trucks</b>	

STATE OF SOUTH CAROLINA

COUNTY OF OCONEE

CERTIFICATE OF ORDINANCE

I, the undersigned Clerk to County Council of Oconee County, South Carolina, do hereby certify as follows:

That the foregoing constitutes a true, correct and verbatim copy of an Ordinance which was given three readings on three separate days, with an interval of not less than seven days between the second and third readings. The original of this Ordinance is duly entered in the permanent records of minutes of meetings of the County Council, in my custody as such Clerk.

That each of said meetings was duly called, and all members of the County Council were notified of the same; that a full majority of the membership were notified of each meeting and remained throughout the proceedings incident to the enactment of this Ordinance.

WITNESS my official signature this 20<sup>th</sup> day of May, 2008

  
Clerk to County Council  
Oconee County, South Carolina

First Reading: April 15, 2008  
Second Reading: May 6, 2008  
Third Reading: May 20, 2008



AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC

COUNCIL MEETING DATE: November 18, 2008

COUNCIL MEETING TIME: 6:00 PM

**ITEM TITLE OR DESCRIPTION:**

RFP 08-07, Mobile Video Imaging and Address Verification Project

Award RFP 08-07 to Yotta MVS, Inc., North Kansas City, Missouri in the amount of \$176,787.

Because the numbers of parcels are estimated, we request that the award include a contingency of ten percent (10%) in the amount of \$13,640 for the improved parcels and secondary address verifications (see attached Bid Tabulation). This would bring the total award amount to \$190,427.

**BACKGROUND OR HISTORY:**

The primary goal of this project is to expand the County GIS (geographic information system) to include an accurate street address, digital image and geographic location for each improved property in the county.

From a public safety perspective having accurate street addresses and the ability to locate homes and businesses through the use of GPS technology will be beneficial in routing police, fire, rescue, and EMS personnel in response to emergency situations. In addition, the ability to view a photo of buildings on a property will help to ensure proper personnel and equipment are dispatched, and aid in the assessment of damages following a natural disaster, which is a requirement for obtaining state and national disaster relief funds.

Other practical applications include use in preparation of land use maps, checking census data, reviewing assessment information, and research related to economic development.

**BID SOLICITATION HISTORY:**

On October 25, 2008, formal sealed proposals were opened for Mobile Video Imaging. Eight companies were originally notified of this bid opportunity. Four companies submitted proposals, with Yotta MVS, Inc. of North Kansas City, Missouri submitting the lowest proposal of \$176,787. The RFP selection committee, comprised of Channon Chambers, Aaron Gadsby, Valentin Hoff, Leslie Smith and Mark Washington, unanimously voted to recommend award to Yotta MVS, Inc. (see attached Bid Tabulation).

**SPECIAL CONSIDERATIONS OR CONCERNS:**

In order for this project to serve its intended purpose the data must be delivered in a manner where it can be easily integrated into the County GIS data base. County GIS and Information Technology department personnel were both included on the RFP selection committee to ensure compatibility was not an issue.

**STAFF RECOMMENDATION:**

Award RFP 08-07 to Yotta MVS, Inc., North Kansas City, Missouri in the amount of \$176,787.

Because the numbers of parcels are estimated, we request that the award include a contingency of ten percent (10%) in the amount of \$13,640 for the improved parcels and secondary address verifications (see attached Bid Tabulation). This would bring the total award amount to \$190,427.

**FINANCIAL IMPACT:**

For FY 2008, County Council approved \$223,000 (budget code 17-301-50840) for the purchase of mobile video imaging.

**ATTACHMENTS**

1. Bid Tabulation

Submitted or Prepared By:

  
Department Head/Elected Official

Approved for Submittal to Council:

  
Dale Surrent, County Administrator

Reviewed By/ Initials:

\_\_\_\_\_ County Attorney

C: Clerk to Council

 Finance

\_\_\_\_\_ Grants

